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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, January 12, 1984
Joe Jung's Restaurant, 891 Market Street
9:00 AM

DOCUMENTS DEPT.
JAN 30 1984
SAN FRANCISCO

NEXT MEETING

DATE: Thursday, January 26, 1984
TIME: 10:15 A.M.
PLACE: Third Floor, Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Roll Call

Commissioners

Present: Phyllis Lyon (presiding) Samuel Chung, Joe Jung, Corrine Lee, John C. Morrissey, Joan Zamora Moulton, Richard Sevilla, Esta Soler, George Suncin, Brenda Wade, Rabbi Martin S. Weiner, David K. Yamakawa Jr.

Excused: Thomas Ambrogi

Staff

Present: Grant S. Mickins, Bettye Burrell, Beatrice Cardenas-Duncan, Jack Casford, Bayard Fong, Sid Gloria, Stanley Lim, Richard Norton, Clemente Obregón, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of Meeting of December 8, 1983 approved with the following corrections:

1. Page two, in the first line of the first paragraph, the sentence should read (inserted words underlined) "had been misled by the appellant attorney Mr. Thuesen which may create a procedural due process problem.

2. Page 2, last paragraph, second line, should read "workforce breakdown (not breadkown) forms..."

3. Page 4 second paragraph, first line, should read, "Commissioner Yamakawa, during the following question period...."

4. Third paragraph, first line, should read, "Commissioner Morrissey asked how the 38% MBE goal (not goals).

5. Fourth paragraph, first line, should read, "Stanley Lim, HRC Coordinator, not Coordiantor.

6. Page 4, Fourth paragraph from the bottom of the page, should end: "present: EMPLOYMENT WORK FORCE GOALS 2. Residency Hiring Provision g. 180 Day Residency Requirements, etc.

7. Page 4, next to last paragraph, should read , "Mr. Lim, continuing his presentation, noted that the Addendum/Resolution contained no major modifications in the basic Affirmative Action Program document, that it retained all procedures, made no changes in costs, and that the essentials..." (words inadvertently omitted underlined).

8. Page 5, second paragraph, first line should read, "He noted that the Subcommittee and HRC staff have (not has) solicited opinions

9. Page 5, sixth paragraph, second line should read, "...the minority contractors, the City and the AGC, was set at 10% ("no" should be omitted) later raised..."

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10. Page 5, sixth paragraph, second line should read, "....MBE, 3% WBE (WBE is inserted as proposed..."

11. Page 5, last paragraph, several lines need to be inserted which were inadvertently omitted from the original: "Commissioner Morrissey's inquiry about MBE/WBE requirements for the service phase of the Southeast Community Facility Project was answered by Mr. Lim to the effect that the Addendum/Resolution goals are effective only for the construction phase.

Director Mickins commented at this point that he wished the record show that the upward adjustment of MBE/WBE goals for the Project has been approved because of the special nature of the Project and because of a ...

A number of other minor technical letter transpositions or omissions were corrected in the text.

- From Louis A. Turpen, Director of Airports, San Francisco International Airport, and Kenneth Fraser, Director of Aviation, Oakland International Airport, jointly inviting Stanley Lim, HRC Contract Compliance Officer, to a seminar on "Doing Business with Bay Area Airports" on February 6, 1984 at the San Francisco Airport Hilton Hotel, from 8 AM to Noon. The seminar is being held to inform local minority, women and small businesses of the goods and services purchased by the airports and their tenants, and the procedure for soliciting bids and proposals for work.

- From Mayor Dianne Feinstein, a letter forwarding to Director Mickins a reference directory entitled, "Guide to San Francisco for the Person Who is Disabled," completed by the Mayor's Council on Disabilities Concerns and the Altrusa Club of San Francisco.

- From Margaret Brodkin, Executive Director, Coleman Children & Youth Services, accepting an invitation from Commissioner Rabbi Martin S. Weiner to join the HRC's Youth and Education Committee.

- From Senate Majority Leader John Garamendi, acknowledging the HRC's formal support of AB I (which would prohibit discrimination in employment on the basis of sexual orientation), and stating that "the bill is pending on the Senate floor, to be considered for a vote sometime after January when session reconvenes."

- From Supervisor Wendy Nelder, Board President, a copy (to Vicky Rathbone of the HRC staff) of a letter written to her by Michael E. Willis, AIA, Vice-President, Fleming Corporation, urging support of the proposed ordinance to add Chapter 12D of the City Administrative Code relative to a City Minority/Women Business Enterprise policy and program.

- From Mayor Feinstein, a letter to Commissioner (and new HRC Chairperson) Brenda Wade, Ph.D, of People Consultants, responding to her letter regarding cross cultural training programs.

- From Mayor Feinstein, asking that the HRC obtain supplemental data from the Redevelopment Agency, the Housing Authority, and the San Francisco Unified School District to add to the information obtained in its public hearings on Minority/Women Business Enterprise participation in City contracting.

- From James D. Jefferson, President, San Francisco Black Chamber of Commerce, thanking Director Mickins for participating in the December 3, 1983 work session of the Coalition for Economic Equity.

- From Ms. Janice Tolbert, announcing that the Parkmerced Special Police/Harassment issue has been resolved, and expressing her gratitude to the late Commissioner Robert Edwards and Commissioner Joan Zamora Moulton (Co-Chairpersons of the HRC's Social Issues and Police Liaison Committee to which Ms. Tolbert several times brought her complaints regarding Special Police-tenant conflict at the Parkmerced apartment complex), and to HRC staff members Mrs. Beatrice Cardenas-Duncan and Ed Ilumin for their efforts in helping to reach this resolution.

- From Mayor Feinstein, commending Director Mickins on his formal presentation November 21, 1983 to the San Francisco Black Chamber of Commerce of the results of the HRC's investigation into Minority/Women Business Enterprise participation

in City contracting. This letter was read aloud at the luncheon at the Palace Hotel attended by morethan 100 persons where Director Mickins was the keynote speaker.

- From Carl L. Williams, Executive Director, San Francisco Housing Authority, informing Director Mickins that his office welcomes the inquiry (requested by Mayor Feinstein---see letter above) into its contracting practices, and naming members of his staff to asist the HRC.

- From Kenneth R. Kinnard, P & K Trucking Company, one of a number of letters written to the HRC regarding a dispute over a general trucking contract. See New Business section of these Minutes.

- From Gael Sapiro, Alice B. Toklas Memorial Democratic Club, a copy of the letter the Club wrote January 4, 1984 to Mayor Feinstein expressing support for the legislation proposed by the HRC to encourage greater participation by Minority/ Women Business Enterprises in the City contracting process.

- From Louis A. Turpen, Director of Airports, commenting on the HRC's proposed budget as submitted to the Airport for its staff work there.

- From Mayor Feinstein, and John C. Farrell, a 122 -page Budget Instruction Manual for all City Department Heads, Boards and Commissions for the 1984-1985 City Budget.

DIRECTOR'S REPORT

- Status of Two Cases: Skycaps and Airport Janitors.

SKYCAPS (Willie L. (Bill) Williams et al. (Skycaps) and Brotherhood of Railway and Airline Clerks, BRAC, AFL-CIO, Complaint versus various airlines at San Francisco International Airport (American, Delta, and nine other respondents)).

The Appeal Hearing (appeal to the Finding---upheld by the HRC Show Cause Panel---by the Director that the HRC has no jurisdiction in the case) was heard by the HRC at its regular meeting November 10, 1983. American and Delta Airlines were not represented, Mr. Mickins said, because the attorney for the Appellants reportedly had told them he would not be pressing his case at that time. The HRC subsequently invited American and Delta, therefore, to submit written memoranda, which have been received.

The Skycaps case status, Mr. Mickins stated, is that American and Delta Airlines have been notified (by the awarding agency, the Airports Commission) that they are in violation and that their lease is in jeopardy.

Mr. Mickins announced further that after the HRC's Appeal Hearing, TWA reorganized its worldwide workforce, terminating a majority of its in-house workforce, including the Skycaps. The Skycaps have filed a complaint with the federal Equal Employment Opportunity Commission alleging race discrimination on the grounds that Skycaps were not given any opportunity to be placed in any other positions within the company, allegedly in violation of (past) company policy. The National Association for the Advancement of Colored People is representing the Skycaps nationally.

The Director advised the members of the HRC to review the pertinent data in the case before them and recommended that they set a time to render their final decision on the question of HRC jurisdiction.

*****The HRC set February 23, 1984, the second regular HRC meeting in February, for that meeting, to be held at 9 AM at a place to be determined, prior to the regular meeting scheduled to start at 10:15 AM in the Third Floor Commission Room of the Main Library.

JANITORS AT THE AIRPORT (Complaint of Non-Compliance by the Service Employees Internation Union (SEIU) at San Francisco Interantional Airport under Local 77, AFL-CIO, against American Airlines, Pacific Southwest Airlines, Western Airlines, and World Service Company.)

This case came to the HRC early in 1983. The Director's Finding of April 13, 1983 was that a discriminatory employment practice existed in violation of Chapter 12B.2 and 12B.4 of the Administrative Code.

Mr. Mickins reported that the HRC had for months been trying to negotiate a resolution of this matter. Local 77, he said, has signed a collective bargaining agreement with another contractor at the Airport which is reported to be paying

prevailing wage and has a nondiscriminatory employment workforce. World Service, in response to the HRC complaint, terminated one of its subcontractors which was acting as a labor contractor employing the janitors (Whitewood Oriental) and reportedly hired a union contractor. In the meantime, another Local (87) of the Service Employees International Union (SEIU) to which Local 77 belonged conducted an organizing campaign and election, which came out 11-9 in its favor, with four votes challenged. This new local has since claimed jurisdiction.

Director Mickins has reviewed the situation with the Deputy City Attorney and his staff and with the original complainants, and with Local 87, and recommended at this meeting that further HRC action be held in abeyance for thirty days.

While the original complainants (Local 77) have withdrawn their call for HRC action, the subsequent parties seeking to intervene asking that the HRC proceed.

He stated that he felt that the case probably will be dismissed, and reported that the question of union jurisdiction currently is before the National Labor Relations Board.

He reiterated that he felt that the HRC is not in a position to proceed against World Services until the jurisdiction matter is more definitely settled. He said that his April, 1983 Finding was that the prime respondent airlines (American and Delta) were, individually and collectively, liable in the case and he said that they have refused to cooperate with the HRC, holding that it has no jurisdiction. Further, they have refused to sign any Affirmative Action Agreement with the HRC, offering instead to submit their federal Equal Employment Opportunity contract. Mr. Mickins saidthat the airlines' position basically is that when they subcontract out for services, even though they have signed a contract incorporating the Nondiscrimination ordinance as a prime contractor, they contend that they are relieved of their obligations under HRC jurisdiction as far as Affirmative Action practices by merely incorporating the ordinance into their subcontracts.

In response to an inquiry from Commissioner Morrissey regarding the HRC's expressed intention to request a change in its Rules of Procedure removing the requirement that the full Commission sit on all hearings, Mr. Mickins said that the request is still with the City Attorney for and Opinion, but that it would in any case not apply in the Janitors or Skycaps case because they were filed before the change request was initiated by the HRC.

*****The HRC set Thursday, February 9, 1984 at 9 AM at the State Building, Room 1200 350 McAilister Street to hold the formal Hearing to obtain compliance from the respondent airlines (American and PSA) in the Janitors case.

- Affirmative Action at the Democratic National Convention .

Democratic convention officials have signed a contract with the City and County of San Francisco for holding the national convention at the Moscone Center in July of 1984. Director Mickins and Donald Hesse of the HRC staff have met with Nancy Pelosi of the local host convention committee, with representatives of the Mayor's Office, and with Democratic National Committee Executive Director and staff regarding the fact that to date there is nothing on record that commits the convention to meet HRC (San Francisco) Affirmative Action requirements for both employment and Minority/Women Business Enterprise contracting.

The HRC is working with the Chief Architect (of the Department of Public Works) regarding the implementation of design architects/engineers' affirmative action obligations, and , despite the fact that there will be no major construction activity (rather, construction of temporary staging), will press for compliance withthe HRC's standing construction goal Affirmative Action requirements.

The Mayor has publicly named the HRC as the monitoring and compliance agency for the City for all convention activity and for all employment and contracting monitoring.

Mr. Mickins said the HRC has submitted a supplementary budget to the Mayor's Office and to the Chief Administrative Officer for approximately $68,000 to cover staff monitoring and outreach work for this obligation. The prime contractor for the convention work will be FM Productions, a subsidiary of the Bill Graham organization.

The Director said that the HRC will be working for the first time with several unions specializing in theatrical staging and lighting work which have heretofore not had any significant minority workforces nor experience in affirmative action negotiations or requirements.

- Commissioners Lyon, Moulton, and Sevilla urged that this factor be especially considered by the HRC.

*****At this point Commissioner Moulton stated her strong feelings that the HRC should take a stand about the full representation of the diverse ethnic population of California as delegates to the Democratic Convention. This concern was referred by Chairperson Lyon to the Social Issues and Police Liaison Committee.

- Corrections and Additions to: Proposed Amendment to the San Francisco Administrative Code Adding Chapter 12D, and Volume I: Comprehensive Edition with Support Documentation, Investigation into Minority and Women Business Participation in City Contracting.

Commissioners were provided two documents listing by page numbers where omissions, additions, changes, and deletions were to be made in these documents.

*****Discussion on these actions began, but at the suggestion of Commissioner Yamakawa, who was advised by Director Mickins that introduction of the Proposed Amendment Adding Chapter 12D and other discussion of the HRC's Minority and Women Business Participation in City Contracting report has been postponed at Supervisor Ward's request by the Board of Supervisors' Human Services Committee to its February 28 meeting, the HRC set over its discussion on the corrections and additions to its January 26 regular meeting when the HRC members will have all materials pertinent to the discussion with them.

REPORT FROM THE CHAIRPERSON

- Chairperson Lyon announced that at the end of her two terms she felt that the HRC had accomplished some significant things, that she looks forward to a productive 1984, and that she wished all staff and colleagues to know her heartfelt gratitude for their support.

- Report of the Nominating Committee: Commissioner Yamakawa, Chairperson; Commissioners Jung and Sevilla.

Commissioner Brenda Wade, Vice-Chairperson for two terms, was nominated for the post of Chairperson for calendar year 1984.

*****It was m/s/c unanimously to accept the nomination.

Commissioner Joan Zamora Moulton was nominated for Vice-Chairperson, and it was

*****m/s/c that the nomination be accept unanimously.

- Commissioner Morrissey suggested a formal letter of gratitude be sent to Commissioner Lyon.

Chairperson Wade then took the gavel. She said she was deeply honored to have been nominated and elected, and follow Commissioner Lyon, whom she described as a "sensitive, intelligent, and committed leader." The new Chairperson asked that the Commissioners join her in a moment of silence to demonstrate their affirmative renewal of a commitment of service to the community, challenged to reach consensus for the good of all.

STANDING COMMITTEES

YOUTH AND EDUCATION
Commissioners Brenda Wade/Rabbi Martin S. Weiner, Co-Chairpersons
John C. Morrissey, Member.

- Proposed Resolution Regarding Proposed Recommendations for Children, Youth and Their Families.-Commissioner Weiner.

The Committee in recent weeks has been discussing the Proposed Recommendations for a Commission on Children Youth and Their Families that was drawn up at the Sixth Annual Conference of the Network of Services for Children, Youth and Families in San Francisco. The Conference was held in October, 1983.

Commissioner Weiner then introduced Ms. Margaret Brodkin, Executive Director, Coleman Children Youth Services.

Ms. Brodkin gave an in-depth description of the some thirty years of work and concern of youth-serving agencies and individuals in San Francisco to obtain a coordinating mechanism for the provision of such services. She said the establishment of an office of children, youth and families was authorized by Board of Supervisors actions some eight years ago, but never funded.

She said some 400-500 people attended the Network Sixth Annual Conference in October (cited above), out of whose Planning Committee came the proposed recommendations for establishment by the City of a Commission on Children, Youth and Their Families, copies of which had been provided the members of the HRC.

She said the recommendation had received the endorsement of many organizations and agencies in the City, though some of them had supported the basic concept and basic structure rather than specific items of the plan.

She said that all along there has been a widespread concern over both the lack of coordination of services for children, youth and their families and the lack of advocacy. She cited the cuts in recent years of basic services (school lunch funding cut, Food Stamps eligibility cut, child-care programs cut), and said that San Francisco City and County has more children needing school-lunch support than any other California county, and that it has twice the number of children who are removed from their homes because of abuse and neglect than Los Angeles County does, and has a much higher percentage of children who at some point in their childhood must receive funding through Aid to Families With Dependent Children (AFDC).

After Mrs. Brodkin cited more details of the extent of need in many areas of San Francisco children, Commissioner Soler opened floor discussion by asking about the possible effect on programs and budgets of other City agencies (such as the Commission on the Status of Women, which has its own child-care component, and others). Ms. Brodkin replied that these agencies could become subunits of the overall Commission as proposed.

Commissioner Weiner reiterated that the basic purpose as the Youth & Education discussions had determined was to provide coordination and advocacy in these areas for children, and that its proposed Resolution was offered, (in its present form, after many revisions) as a means to give impetus to the City to set up a coordinating advocacy body.

Commissioner Morrissey wanted to know what kind of opposition had developed to the Network recommended plan and Ms. Brodkin said it had come from agencies feeling a threat to their autonomy.

Vice-Chairperson Moulton expressed concern with the organization chart proposed for the Commission calling for two youth representatives from the City Wide Youth Council, saying that this limitation would not give adequate representation to the diverse ethnic populations of the City.

Commissioner Yamakawa said he saw the proposed Resolution as a means to enhance advocacy, but that it could not establish coordination which he saw as the basic need. She cited a number of nonCity agencies and departments that have activities in youth-serving work.

There ensued discussion over the issue of whether by adopting the Committee's proposed Resolution the HRC would be endorsing the components of the Network recommendations and plan. Commissioner Soler and others stated that adoption would be of the principle of the recommendations and plan, but not of the details.

*****A motion by Commissioner Soler that the word "mechanism" in the proposed Resolution be replaced by "commission" was defeated by the tie voice, 6-6.

Ayes: Commissioners Jung, Lyon, Sevilla, Soler, Weiner, and Yamakawa.

Noes: Commissioners Chung, Lee, Morrissey, Moulton, Suncin, and Wade.

It was then

*****m/s/c to adopt the Resolution Regarding Proposed Recommendations for Children, Youth and Their Families. A full copy of that Resolution is attached to these Minutes.

The Resolution is to be sent to the Mayor's Office with a cover letter explaining that the HRC Resolution supported only in principle the recommendations of the Network Planning Committee.

LESBIAN/GAY ADVISORY COMMITTEE
Commissioners Richard Sevilla/David K. Yamakawa Jr.-Co-Chairpersons

- Recommended approval of Letter from HRC Chairperson Lyon to Arizona Governor Bruce Babbitt, and Supervisor Hawley Atkinson, Chairman of the Maricopa (Arizona) County Board of Supervisors-Commissioner Sevilla.

Supervisor Atkinson was quoted in the national press recently as saying that "homosexuals and lesbians from San Francisco" should be used in experiments instead of animals from the pound. The two recommended letters, drafted by the Lesbian/Gay Advisory Committee, were provided the members of the HRC for their study. Each deplores and protests the Atkinson statement. The Governor is asked to "do everything in your power to censure him," and Mr. Atkinson is asked for a public apology to the Lesbians and Gay men of San Francisco.

It was

*****m/s/c unanimously that the HRC authorize sending these two letters.

- Committee Report. Commissioner Sevilla.

1. The matter of certain questions being used on the application form for staff to the Police Office of Citizen Complaints was referred to the Social Issues and Police Liaison Committee.

2. There was discussion about the release of Dan White from prison January 6, and the rallies and demonstrations participated in by members of the Committee.

3. The Committee went over its strict attendance policy and made some changes.

4. There is a new membership drive for Committee participation.

5. There was discussion of the November HRC-sponsored Public Hearings on Employment and Hiring Practices of Lesbian/Gay Businesses.

6. Private funding is being sought to provide bus posters addressing Lesbian/Gay discrimination and rights.

EMPLOYMENT
Commissioners Corrine Lee and Esta Soler
Co-Chairpersons

- Employment on City-Funded Architects and Engineers (A/E) Consulting Contracts as of June 30, 1983-Vicky Rathbone.

Ms. Rathbone explained that the report final formal presentation had been held up by the wait to obtain final 1980 Census figures for it , and by increasingly crowded HRC agendas.

She gave the highlights of a detailed, four-page narrative report supported by 16 pages of tables giving : Workforce Breakdowns: Professional Staff by Discipline; for Professional, Technical & Administrative Staff; for Technical Staff by Discipline (as of December, 1982 and June, 1983); the 1980 Census Data, shown with HRC goals, and Workforce Breakdown of City A/E Consultants; the Distribution of Minority Groups by Job Category; the Employment of Women in Non-Administrative positions; the Distribution of Minority Groups in the Overall Workforce; On-the-Job Trainees Hired on SF A/E Consulting Contracts, etc.

The report shows data from 95 firms, 65 of which had contracts in excess of $30,000 and came under the monitoring mandate the HRC.

Ms. Rathbone's report showed in detail the chronology of HRC handling of these contracts, from first receiving approval of award to a consultant, to the setting of goals and timetables for correcting any areas of underrepresentation. Workforce reports are submitted to the HRC every six months. Although it was was very difficult,

using only 1970 Census figures, to set employment goals for minorities and women in the A/E professions, with the appearance of 1980 figures, it was found that HRC minority goals were very close to them, and that, in some cases, the goals appeared to be too low.

The project representation of minorities and women pertains to employees, especially in management and professional roles, and the HRC Affirmative Action Program also sets goals for hiring a certain number of trainees, according to the dollar amount of the project. Trainees, for minority, woman, or disabled person categories, receive training in a technical field for at least 10 months, must not have had more than one year's continuous work experience in the U.S. in an A/E-related field, or not have a U.S. Bachelor's degree in an A/E-related discipline.

The HRC continues its long association with the Engineering Societies Career Management Program, and a "great majority" of the trainees hired in the HRC goals program, Ms. Rathbone reported, continue to come from ESCMT.

During the reporting period (1982 and the first half of 1983):

- 79 trainees were hired pursuant to HRC contracts, 67 through ESCMT.
- the training goal had been met on 75% of existing projects.

A major priority for work in this field now, Ms. Rathbone said, is to develop an outreach program to link disabled employees with potential A/E employers. Twelve disabled persons were employed as architects and engineers, drafters and administrators during the reporting period.

In her summary, Ms. Rathbone made these points:

1. In almost all areas, HRC goals were being met or exceeded for both women and minorities. Exceptions were: women architects, women mechanical/electrical engineers, and women technicians in geotechnical firms.

2. In most cases, noncompliance complaints can be settled by developing remedial affirmative action agreements which the HRC monitors on an monthly basis.

3. The ethnic distribution of the workforce reveals low levels of Black, Hispanic and Native American professional and technical representation, with no real increase (and in some cases, slight decreases) since 1981. Ms. Rathbone's statement that "the HRC results do seem to reflect availability as indicated in the 1980 Census. The differences from year to year probably reflect fluctuations in employment resulting from changes in the consultant firms that make up the data base rather than a definitive trend towards either an increase or decrease in Black, Hispanic and Native American representation." drew a response from Commissioner Sevilla. See below.

4. The number of women working in nonclerical or administrative positions continues to in architecture and engineering.

5. The results among the administrative are "disappointing"-----although the HRC 30% goal has been met, the minority representation is the lowest since 1977. Blacks in particular, Ms. Rathbone's report reads, "...are severely underrepresented compared to 1980 Census data."

6. Ms. Rathbone called for aggressive recruitment and career counseling early in the education structure in order to increase the numbers of women and minorities graduating with college degrees in the A/E professions.

Commissioner Sevilla asked if Ms. Rathbone knew if there were pools of available, qualified, trained Black, Hispanic and Native Americans who are unemployed today, despite such efforts as the HRC to increase their participation. This was in reaction to the narrative report statement, "The differences from year to year probably reflect fluctuations in employment resulting from changes in the consultant firms that make up the data base rather than a definitive trend towards either an increase or decrease in Black, Hispanic or Native American representation. Indeed, no real increases in Black, Hispanic or Native American representation can be expected in the future unless students continue to enroll in college courses in the A/E disciplines in greater numbers than in the past."

Ms. Rathbone replied that, as her report goes on, there were increases in those minorities' enrollments in A/E related courses during the 1970s, and that it much be sustained throughout this decade if the representation is going to increase above current levels, with recruitment occurring at the high school level or before.

Asians, she said, are the dominant minority group in the A/E professions and account for the overall minority representation increase each year since 1977. The problem had been in the promotional record for minorities, Ms. Rathbone said, rather than in entry-level participation.

After further comments from Vice-Chairperson Commissioners Moulton, Morrissey, and Yamakawa,

it was

*****m/s/c to accept the Report on Employment on City-Funded Architects/Engineers (A/E) Consulting Contracts as of June 30, 1983.

NEW MATTERS

- Double-O Appeal Possibility.

Though the HRC on October 31, 1983 upheld the Director's Finding that this trucking firm was not a bonafide Minority Business Enterprise, Mr. Mickins reported, in response to an inquiry from Commissioner Morrissey, that the City Attorney has told him recently that the HRC's Rules of Procedure which bar a further Appeal after a certain period, are pre-empted by a State statute which gives any appellant three years in which to file an appeal to an administrative action.

Mr. Mickins said he understood that the Double-O Company is trying to reorganize, and he does not aniticipate any further litigation to originate from it.

- P & K Trucking Company Issue.

Director Mickins responded to an inquiry from Commissioner Yamakawa about a letter (see Communications section of these Minutes) form P & K Trucking Company. He said that it is a very difficult, long-standing, and complex case involving a dispute with the Clean Water Program. The HRC currently is completing (Stanley LIm) its investigation, and the Director's Finding will follow.

- Mayor's Letter of December 12, 1983 requesting that the HRC study the Redevelopment Agency, Housing Authority, and the San Francisco Unified School District.

The Director said that in a meeting to discuss the MBE/WBE Hearings report and recommendation and proposed amendment to the Administrative Code with the Mayor, and several minority and women business groups, at which he narrated the findings of the low participation of minorities and women in City contracts, the Mayor said that she felt the findings should be supplemented by data from the experience of the above -cited agencies. Mr. Mickins said that the HRC had been limited to City agencies in the wording of the formal mandate from the Board of Supervisors by Resolution.

The work of gathering the information requested by the Mayor from the three agencies has been begun by Gail Roberts of the HRC staff. The HRC members will have an opportunity to review and give input to this collected supplementary data.

- Standing Committee Assignments.

Chairperson Wade said she would make the announcements of Committee assignments by the February 23 meeting of the HRC. She invited any members to contact her regarding their requests for assignment.

- Hispanic Definition Issue.

Vice-Chairperson Moulton inquired about the status of the long-standing request to the City Attorney regarding the Hispanic definition as used for purposes of affirmative action.

NO OLD BUSINESS

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 10:15 AM, Thursday, January 26, 1984, in the Third Floor, Commission Room of the Main Library, Civic Center.

STANDING COMMITTEES

Employment	Thursday, February 2, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory Committee	Tuesday, January 17, 1984 and Thursday, February 21, 1984 5:30p.m.- 7:30 p.m. The State Building, Civic Center Room 1200, McAllister Street entrance
Housing and Urban Development	To be announced
Social Issues and Police Liaison	To be announced
Youth and Education	Thursday, January 19, 1984 3:40 p.m. Sherith Israel 2266 California at Webster Library Room

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp:ltn

Attachment #1

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION REGARDING PROPOSED RECOMMENDATIONS

FOR CHILDREN, YOUTH AND THEIR FAMILIES

WHEREAS, the planning efforts of the major public and private agencies serving children are often inadequate because no mandated mechanism for cooperation exists; and

WHEREAS, the children of San Francisco and their families suffer needlessly because the service system is not better coordinated; and

WHEREAS, we firmly believe it is time to bring about a fully coordinated service system and that such system is possible to design;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission urge the Mayor to review the proposal developed by the Network Planning Committee, and to develop a mechanism to improve the coordination of services. We further urge that this mechanism have sufficient authority, resources and community input, including youth to adequately develop and oversee citywide policies for San Francisco's children, youth and their families.

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Resolution 1-84

Adopted by the HRC 1/12/84

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, January 26, 1984
Commission Room, Main Library
10:15 A.M

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NEXT MEETING

Date: Thursday, February 9, 1984
Time: 9 A.M.
Place: Room 1200, State Building
350 McAllister Street

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Roll Call

Commissioners

Present: Brenda Wade (presiding), Samuel Chung, Corrine Lee, Phyllis Lyon, Nicerita Revelo, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Thomas Ambrosi, Joe Jung, John C. Morrissey, Joan Zamora Moulton, George Suncin, Rabbi Martin S. Weiner

Staff

Present: Grant S. Mickins, Bettye Burrell, Beatrice Cardenas-Duncan, Jack Casford, Ed Ilumin, Stanley Lim, Richard Norton, Pansy Ponzio Waller, Gail Roberts.

Chairperson Wade introduced new Commissioner Ms. Nicerita D. Revelo, who was sworn in by Mayor Feinstein January 17. She will complete the term of Commissioner Antonio Grafilo, who resigned in 1983.

Pledge of Allegiance

Minutes of the Meeting of January 12, 1984 approved.

COMMUNICATIONS

- From John F. Conrad, Director, Finance & Administration, Port of San Francisco, informing the HRC that its budget request to the Port for Fiscal 1984-1985 has been approved to the extent of one Representative position. See Director's Report.

- From L.A. Turpen, Director of Airports, announcing joint sponsorship by the Airports Commission, with the Port of Oakland, of its second business seminar on procurement opportunities, at the Airport Hilton, February 6, 1984. The seminar is to acquaint minority, women and small business communities in the Bay Area with procurement and bidding procedures at the two Airports. More than 700 invitations have been mailed.

- From Anthony F. Pantoni, of Brobeck, Phleger & Harrison, Attorneys at Law, for American Airlines, Inc., a formal request for an indefinite continuance of an Appeal Heaing in the matter of Service Employees International Union (SEIU) Local 77 (Janitors at the Airport) v. American Airlines, Inc., World Services, Inc., and Pacific Southwest Airlines. See Director's Report.

- From Henry Der, Executive Director, Chinese for Affirmative Action, regarding the CAA December 1, 1983 presentation before the HRC Employment Committee on "on going pattern and practice of discrimination and exclusion of Asian Americans in many public-funded construction projects." Mr. Der noted that the Committee voted to establish a subcommittee to explore these concerns.

DIRECTOR'S REPORT

- Janitors at the Airport Case.

Director Mickins read in full the letter (referred to in the Communications section of these Minutes) from Anthony F. Pantoni, attorney for American Airlines, Inc. Mr. Pantoni formally requested an indefinite continuance in the Appeal Hearing (set by the HRC for February 9, 1984 at 9 AM in the State Building, 350 McAllister, Room 1200) on the issue of whether American Airlines and Pacific Southwest Airlines will sign Affirmative Action Agreements with the HRC, under which World Services Compnay serves as a subcontractor. Mr. Pantoni said he believes a settlement outside a hearing can be obtained and that he is negotiating with the attorney for Local 77 to that end.

Mr. Mickins said staff had spoken on this date with the Pacific Southwest Airlines attorney and that he felt that a continuance in order to reach justifiable.

It was then

******m/s/c unanimously that an indefinite continuance be granted to the parties to the Appeal Hearing scheduled for Thursday, February 9, 1984, at 9 AM in Room 1200 of the State Building, 350 McAllister Street.

- Port of San Francisco Funding for HRC Services.

Mr. Mickins read in full the letter from John F. Conrad, Director of Finance & Administration for the Port, informing that the HRC budget request would be approved only to the extent of one Representative position. This would cancel a compliance position which has been based at the Port Commission offices for approximately six weeks to monitor contracts let by the Port Commission for compliance with Affirmative Action requirements. The jurisdiction includes also the restaurant lessees at Fisherman's Wharf.

The Director earlier had concluded an agreement for funding by the Port with adequate HRC staffing an support service for these contracts, for an amount larger than Mr. Conrad now has informed will be granted, "...Due to budget restraints imposed on the Port as a result of anticipated lower revenues and higher expenditures..." That agreement hasd been with the late Port Director, Ed David, however, and Mr. Mickins said that the announcment of this reduced support for Affirmative Action monitoring would nullify plans for more active Minority/Women Business Enterprise activity.

- Budget Support from the Airport.

Mr. Mickins said that the HRC budget request for its extensive contract and leasing monitoring at San Francisco International Airport has been approved, but with a request for a different form of accounting. He said that the Airport has continued to be highly cooperative with the HRC.

- HRC Annual Budget to Mayor's Office.

The preliminary Ad Valorem budget request to the Mayor's Office for Fiscal 1984-1985 has been submitted by the HRC, and a secondary submittal, this time to the Office of the Controller, is due by February 1. All City departments have been requested to submit a budget at this stage at exactly the same amount as for the last Fiscal Year.

- San Mateo County Human Relations Commission Guests.

Two Commissioners from the San Mateo County Human Relations Commission were introduced and welcomed formally: Messers. Dennis Kay and James Swinfard. They were on hand to observe the workings of the HRC, and each briefly expressed his interest in its procedures and work. The San Mateo County HRC currently is featuring Commissioners on a series of public information television spots . Commissioner Kay said that there had been to date responses from viewers in all Bay Area counties except San Mateo.

- Inquiry on Effect of Recent Actions of U.S. Commission on Civil Rights.

Commissioner Lyon asked the Director what effect, if any, the recent statements by the new Staff Director, Linda Chavez, of the U.S. Commission, and subsequent actions changing previous Commission policies requiring Affirmative Action compliance might have on the San Francisco HRC.

Director Mickins replied that for the immediate time there would be no direct ill effect,but noted that indirectly it would have a distinct dampening effect on all civil rights agencies to the extent that it is now a possibility that noncompliance would be increased. This despite long-established court rulings regarding anti-discrimination goals and regulations.

REPORT OF THE CHAIRPERSON

- Congratulations to Vicky Rathbone and Husband on Birth of Girl.

The Chairperson directed Mr. Mickins to write a letter of congratulation to Ms. Rathbone and her husband, Mr. Lloyd Zimple, on the birth of a baby daughter, Virginia Ann, born on January 16, 1984.

- Luncheon Meeting with Youth Agency Heads.

Chairperson Wade met with Stuart Patt, President of the Delinquency Prevention Commission (members appointed by the Board of Supervisors), and Ms. Beatrice Laws, Chair of the Juvenile Justice Commission (members appointed by the Superior Court) and Beatrice Cardenas-Duncan, staff to the Youth and Education Committee, to discuss mutual interests in education, the desire to coordinate their work with the HRC's, and close cooperation with the Youth and Education Committee.

It was announced that the HRC still is represented on the Delinquency Prevention Coordinating Council.

STANDING COMMITTEES

ADMINISTRATIVE COMMITTEE
Joan Zamora Moulton, Chairperson

- Standing Committee Assignments.

Chairperson Wade asked that preferences for Standing Committee assignments be given her before the February 9 regular HRC meeting.

Additions, Corrections, and Deletions-MBE/WBE Reports and Proposed Legislation.

This work was continued from the HRC January 12 regular meeting. A list of Errata was provided each Commissioner, covering alterations in three documents:

1. Investigation into Minority and Women Business Participation in City Contracting: Comprehensive Edition: Findings, Recommendations, and Support Documentation (Volume I).

2. the Abridged Edition: Volume II, of the above.

3. Proposed Amendment to the San Francisco Administrative Code, Adding Chapter 12D.

Acting separately on each of the three documents, it was

******m/s/c unanimously that the HRC approve the additions, corrections, and deletions as given on the three staff-prepared documents.

- It was noted that on Page vii of Volume II, in the fourth sentence on the page reading, "To make up for previous societal discrimination,...", it was unanimously agreed to delete the word "societal".

LESBIAN AND GAY LIAISON
Richard Sevilla and David K. Yamakawa Jr. Co-Chairpersons

- "Homosexual Panic" Defense Issue-Commissioner Sevilla.

Three guests led a discussion at the Committee meeting January 17 on this subject: Greg Day, representing the Alice B. Toklas Democratic Club; Ron Huberman, representing the Harvey Milk Democratic Club; and Doug Warner, of the American Civil Liberties Union.

Gay community concerns have arisen over recent instances in court cases involving murder or assault of Gay people in which a defense being offered on behalf of the accused assailants is that they acted in a "homosexual panic" because the victim allegedly made a homosexual overture. Commissioner Sevilla said also that there have been instances where Gay people have been excluded from the legal process, including being excluded from jury selection.

Commissioner Sevilla said that it is felt that prejudices against certain social and even political beliefs are intruding into jury selection.

He said that the Alice B. Toklas Democratic Club reportedly has taken the position that it would refuse to support politically any Public Defender or other official who uses the "homosexual panic" defense. Commissioner Lyon said this would apply to any public official who does not publicly reject the "homosexual panic" defense posture.

Commissioner Sevilla said that no formal position or recommendation to the HRC had been taken by the Lesbian/Gay Advisory Committee. He said before this could done that a more in-depth discussion of the facets of the issue would be necessary. He said that Gay people feel "victimized" by use of the "homosexual panic" defense.

Commissioner Yamakawa commented that the Committee had felt greatly frustrated by the defense issue and its complexities.

******On the initiative of Commissioner Soler, the HRC requested that the Lesbian/Gay Advisory Committee draft a recommended position on the issue of the possible exclusion of Gay people from juries.

- Recruitment of new L/GA Committee Members.

Leaflets were distributed at the meeting as samples of those being widely disseminated to seek applications from Lesbians and Gay men who wish to become members of the Committee. The deadline for submittal of the resumes and/or letters detailing community involvement is February 13. They are to be sent to: Jackie Winnow, Lesbian/Gay Community Liaison, Human Rights Commission, 1095 Market, Suite 501, San Francisco, Ca. 94103.

- Postponement Action on Assembly Bill 1.

State Senate action (on this date, previously scheduled) on the measure that would ban discrimination statewide on the basis of sexual orientation has been postponed.

YOUTH AND EDUCATION
Brenda K. Wade, Rabbi Martin S. Weiner, Co-Chairpersons

- Committee Report- Beatrice Cardenas-Duncan.

1. Committee Representation

Presently serving on the Committee are representatives of the Mayor's Office, the office of State Senator Milton Marks, the office of Assembly Speaker Willie Brown, the Parents Lobby, the S.F. Parents-Teachers Association, the Police Community Relations Unit, a number of neighborhood-based organizations, the Juvenile Justice Commission, the Delinquency Prevention Commission, the National Council of Jewish Women, the League of Women Voters, Queen's Bench,

the Jewish Community Relations Council, and the San Francisco Democratic Women's Forum.

2. Proposed Resolution Regarding Ombudsman-like Office at School District.

A number of complaints from parents have been received recently regarding their feelings that their complaints and concerns as communicated to the San Francisco Unified School District are not given full and complete handling by the staff there. In an effort to find a means to promote the fair, expeditious, and productive serving of parent complaints, the Committee will be considering a draft of a proposed Resolution regarding the creation of an ombudsman-like office with the District. This discussion will be on the Committee's February agenda.

3. Proposed Resolution Regarding Education on Nuclear Warfare.

The Committee also will be considering a draft of a Resolution to recommend to the HRC regarding calling upon the Board of Education to include a discussion of the nuclear warfare issue in the school curriculum.

4. "Forum on Education"

The Committee on behalf of the HRC is working on co-sponsoring, with the San Francisco Parents' Lobby and the Parent-Teachers Association, a "Forum on Education" to tie in with discussions now being held in Sacramento concerning new educational reforms, legislative funding, etc. The offices of State Senator Gary Hart and State Assemblywomen Teresa Hughes have shown interest. Details of the Forum, which hopes to have input from the legislative committees on education of both houses, are being worked out now.

5. Monitoring of HRC Resolution 1-84.

Regarding Proposed Recommendations for Children, Youth and Their Families, adopted by the HRC January 12, 1984 at its regular meeting, continues.

6. Ms. Duncan reported also that the Committee has introduced the meeting format of having representatives from its member organizations give periodic status reports on their activities.

7. Cross-Cultural Education Program with Intergroup Clearinghouse.

The Committee is working with the Intergroup Clearinghouse and a pilot project of the National Conference of Christians and Jews to bring cross-cultural exchange sessions for students in schools where tense relationships have developed between groups. The first program is due to be introduced into Everett Middle School, where there have been reported difficulties between Gay and Latino students.

NEW MATTERS

1. New Staff Responsibilities from Chapter 12D.
2. Establishment of Subcommittees.-Commissioner Yamakawa.

1. Commissioner Yamakawa expressed concern frist about the possible new demands for staff work to implement the MBE/WBE program called for when and if the Proposed Amendment adding Chapter 12D to the City Administrative Code is passed.

2. The Commissioner noted the standing restrictions of the HRC on establishment by Standing Committees of subcommittees. The HRC Rules and Regulations read (amendment of December 12, 1975): "A Standing Committee of the Human Rights Commission shall not form subcommittees or other bodies without the approval of the Chairperson and the Director."

The Commissioner said he did not see a uniform pattern in what a Standing Committee saw as its independent authority to take positions as compared to making recommendations to the HRC for action.

******The Commissioner suggested that, as soon as new Chairpersons had been named for the Standing committees, that the Administrative Committee meet to consider his concern about subcommittees, and set a common rule

so everyone operates in the same way. Commissioner Lyon concurred with Commissioner Yamakawa's concern about what Standing Committees or subcommittees may do independently of the HRC.

Commissioner Soler expressed her support of the suggestion as well, and also asked that the HRC look at, in the case of the Employment Committee, (whose calendar is crowded with long, detailed, and periodic reports), a way of expediting them, such as having them be part of the Director's Report.

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 9 AM in Room 1200 of the State Building, 350 McAllister Street.

STANDING COMMITTEES

Employment	Thursday, March 1, 1984 9:30 A M 1860 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, February 21, 1984 5:30 P M - 7:30 P M State Building, Room 1200 Civic Center, 350 McAllister Street
Housing and Urban Development	To be announced
Social Issues and Police Liaison	To be announced
Youth and Education	Thursday, February 16, 1984 3:45 P M Sherith Israel 2266 California Street at Webster Library Room

NO REMARKS FROM THE AUDIENCE

Adjournment

Repectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp
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= HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, February 9, 1984
Room 1200, State Building, Civic Center

DOCUMENTS DEPT.

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NEXT MEETING

Date: Thursday, February 23, 1984
Time: 9 AM
Place: Room 1202 (not 1200), State Building
350 McAllister Street-Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Roll Call

Commissioners

Present: Brenda Wade (presiding), Samuel Chung, Corrine Lee, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton, Nicerita Revelo, Richard Sevilla, Esta Soler, George Suncin.

Excused: Thomas Ambrogi, Joe Jung, Rabbi Martin Weiner, David Yamakawa.

Staff

Present: Grant Mickins, Frank Anderson, Beatrice Cardenas-Duncan, Jack Casford, Jacquie Hale, Don Hesse, Stanley Lim, Richard Norton, Clemente Obregón, Gail Roberts, Essie Thomas.

There was no Flag, so there was no Pledge of Allegiance.

The Minutes of the January 26, 1984 meeting were approved with the following corrections:

1. On Page 2, in the second paragraph under Janitors at the Airport Case, the words "settlement was" are to be inserted, so the paragraph in full reads: "Mr. Mickins said staff had spoken on this date with the Pacific Southwest Airlines attorney and that he felt a continuance in order to reach settlement was justifiable."

2. On Page 4, in the fifth paragraph under LESBIAN AND GAY LIAISON report, the second sentence should read, "He said before this be done a more in-depth discussion of the facts of the issue would be necessary," "be" is to be inserted, and "that" deleted.

3. On Page 5, in the first paragraph under 2. Proposed Resolution Regarding Ombudsman-like Office at School District, the second sentence should read, "In an effort to find a means to promote the fair, expeditious (not expeditions), and the productive service (not serving) of parent complaints, etc."

COMMUNICATIONS

- From Paul G. George, of Meserve, Mumper, & Hughes, (with copies to Judith Boyajian, Deputy City Attorney, Morton Rible, Esq., and Richard J. Botz), representing American and Pacific Southwest Airlines in Perkel v. American Airlines, Pacific Southwest Airlines, et al-Case No. 118-82), notifying the HRC that his client is agreeable to a continuance in this case (referred to in the HRC discussions informally as the Janitors at the Airport case.) The scheduled Appeal Hearing for February 9, 1984 had been cancelled and a continuance granted by the HRC.

- From George Leong Suey, National Executive Director, Chinese American Citizens Alliance, expressing the Asian community's concerns about the time-lapse in settlement of the Janitors at the Airport case.

- From U.S. Representative Barbara Boxer, thanking the former Chairperson, Commissioner Phyllis Lyon, for sending a copy of the Sexual Orientation Com-

plaint Report (presented at the HRC December 8, 1983 regular meeting by Eileen Gillis), commending the HRC for "...doing a fine job fulfilling its mandate to take action against those who would discriminate against lesbians and gay men."

- From Mayor Dianne Feinstein a copy of her letter to John Jacobs, Executive Director, San Francisco Chamber of Commerce (with copies to Roger Boas, Chief Administrative Officer, Ben Dial and Jere Jacobs, of the Mayor's Fiscal Advisory Committee, Robert Tecco, City Purchaser, and all members of the HRC). This letter was read in full to the HRC by COmmissioner John C. Morrissey during the Director's Report. See below.

DIRECTOR'S REPORT

- Proposed Legislation Adding Chapter 12D to City Adminstrative Code.

The Board of Supervisor's Human Services Committee will hear this proposed legislation at 2 PM on Tuesday, February 28, 1984, probably in the Board of Supervisors' Chambers in City Hall. A large attendance is expected, Mr. Mickins said. Supervisor Silver chairs the Committee, with Supervisors Hongisto and Britt as members.

At this point, Commissioner Morrissey was asked to read the letter Mayor Feinstein wrote John Jacobs, Executive Director of the San Francisco Chamber of Commerce, who had suggested that the Mayor's Fiscal Advisory Committee become involved in the proposals for City contracting with businesses owned by minorities and women. Mayor Feinstein announced she has asked Peter Henschel of her staff work with Roger Boas and the City Purchaser, Robert Tecco, to explore how MFAC can be of most use on the issue, with a particular emphasis on the problems that minority and women-owned business enterprises face.

- Minority Lawyers' Seminar.

Director Mickins attended the January 19, 1984 second annual meeting of this group at Levi Strauss headquarters. The meeting was addressed by Speaker of the California Assembly Willie Brown, Jr. The group seeks to encourage corporate counsels to utilize minority lawyers. It was announced that Commissioner Morrissey had joined the planning group of the Minority Lawyers' Seminar in 1983 and had brought a number of other corporate counsels into its work.

- Administrative Committee Issues.

The Committee will meet preceding the February 26, 1984 scheduled regular meeting of the HRC to address:

1. A review of the HRC budget proposed for Fiscal 1984-85.

2. A review of the proposed Management-by-Objectives program for the HRC for 1984-85, with a six-month performance assessment.

3. Consideration of a request that there be a standardized format for the presentation of HRC professional staff reports.

4. The question of San Francisco residency requirements (written into the HRC ordinance without notification two years ago) for members of the HRC's Standing Committees. Mr. Mickins stated that members are chosen for the expertise they can bring, rather than for their place of residence.

REPORT OF THE CHAIRPERSON

- Standing Committee Appointments.

Chairperson Wade announced the following appointments:

1. Administrative Committee--Chairperson, Vice-Chairperson Moulton.

2. Employment Committee-- Co-Chairpersons, Commissioners Soler and Lee. Member, Commissioner Chung.

3. Lesbian/Gay Advisory Committee--Co-Chairpersons, Commissioners Sevilla and Lyon.

4. Housing and Urban Development--Co-Chairpersons, Commissioners Suncin and Jung.

5. Social Issues and Police Liaison -Co-Chairpersons, Commissioners Morrissey and Yamakawa. Member, Vice-Chairperson Moulton.

6. Youth & Education- Co-Chairpersons, Commissioners Revelo and Weiner. Member, Commissioner Chairperson Wade.

- Vicky Rathbone, HRC Contract Compliance Officer, has written her thanks to the HRC for its congratulations on the birth of her daughter, Virginia Ann, January 16, 1984.

STANDING COMMITTEES

SPECIAL ORDER

1. Report on the HRC's Role and Responsibilities in Planning for the Democratic National Convention, July 1984. Director Mickins, Frank Anderson, and Donald Hesse all contributed to this presentation and discussion, which covered approximately two hours of this meeting.

- Mr. Mickins gave a detailed rundown on the work to date ny HRC staff and on the status of the HRC mandated role and responsibilities. He had reported by January 12, 1984 to the HRC that meetings were on-going with the Mayor's Office, the Chief Administrative Officer and the Director of Public Works, with the Democratic National Convention Committee, and with the local (San Francisco) Host Convention Committee , chaired by Nancy Pelosi.

The Mayor publicly has named the HRC as the monitoring and compliance agency for the City for all (Affirmative Action) convention activity and for all employment and contracting monitoring under the contract signed between Democratic Party convention officials and the City and County for holding the convention at the Moscone Convention Center in July of 1984.

Mr. Mickins reported that a coalition of community minority and women's groups approached the Mayor and the Chief Administrative Officer some months ago and demanded full participation opportunities for minorities and women in the convention contracting. This coalition siad that it needed both an effective Affirmative Action program, and an extensive MBE/WBE (Minority Business Enterprise/Women Business Enterprise) outreach program, with sufficient budget to ensure participation .

After several meetings on this request, the Mayor decided to fund the HRC as the designate City body to carry out a complete Affirmative Action monitoring program. She told the coalition that the City funds earmarked to produce the convention did not contain allocations in the amounts or size requested for outreach.

Mr. Mickins said that the Board of Supervisors has appropriated some $5 million in "core money" to the Department of Public Works to construct, develop, and produce the convention. Some $400,000 in addition has been allocated for architectural and engineering design work. Such a design has been prepared by the firm of Gensler and Associates and it has been advised to submit it to the HRC for review and approval.

In addition to City funds, the Democratic National Convention Committee will expend money provided for planning and security services, as well as expended by the local Host Convention Committee for housing and transportation costs.

All of this work is being coordinated by the Mayor's Office.

FM Productions Inc., the originally intended prime contractor for the production of the convention, has, said Mr. Mickins, since withdrawn from direct negotiation and requested a competitive bid process on a technical legal point on advice of its lawyers. It is emphasized that, whereas the HRC has in place a long-established and complete Affirmative Action program to cover construction, the convention will consist in large part of work as a "show production" setting up bleachers, installing lighting equipment and sound equipment, rigging television platforms, etc. These are non-traditional areas in HRC experience.

The collective bargaining agreements are with labor unions HRC has not dealt with ; there is reportedly relatively little participation by minorities and women in these specialized crafts, and there is a need to find minority and women-owned businesses that are specialists in these trades and can bid for the work.

Mr. Mickins then discussed the Bid Proposals standards document issued February 3, 1984 by Director of Public Works and Clean Water Program, Jeffrey Lee. This sets the pre-qualifications for contractors (bidders) "for the construction of temporary convention facilities at Moscone Convention Center and for the production and operation relating to the Democratic National Convention."

Mr. Mickins said that the obligations thus presented to the HRC represent "one of the most volatile issues I've even been involved in". He said that the HRC is concerned with two major factors:

1. The workforce to be employed in constructing and producing the convention, and its reflection of the ethnic minority/women proportion of the City population by the setting of goals and guidelines for all who will bid on contracts.

2. Full participation by MBE/WBE firms.

He noted that the HRC will be dealing with some unions, as noted above, that rarely if ever have had minority participation.

Mr. Mickins also noted that this is a most pressing and delicate mandate, and that the HRC must be funded adequately to meet these heavy responsibilities, since it has been publicly designated as the pivotal City agency to implement Affirmative Action.

Commissioner Morrissey reminded that subsequent (to the Convention) success or failure by MBE/WBEs and workers may well be judged on the basis of what percentage of the overall City financial expediture they garnered, and that, further, performance and guidelines established around the convention may set a precedent for future HRC guidelines for such big public events.

Commissioner Moulton expressed her concern about the representation of minorities and women among the delegates selected for the convention and any possible HRC role in this area. Two commissioners responded that the HRC has no role regarding delegate selection.

- Mr. Anderson then read in full and discussed a draft of proposed language for a formal HRC statement entitled, "HRC Affirmative Action Employment Requirements, Production Phase- 1984 National Democratic Convention." Copies of this draft were distributed to the members.

It states three main requirements:- the total overall workforce breakdown by ethnic identification and sex of the San Francisco Available Labor Force (based on the 1980 U.S. Census Labor Market Availability).

- establishment of "reasonable and flexible" goals for ethnic minorities and women based on the Special Occupation Tabulations of the 1980 U.S. Census for the San Francisco/Oakland Standard Metropolitan Statistical Area.

- submission by all participating contractors of individual Affirmative Action plans to the HRC, containing all the required components as spelled out in the HRC's Affirmative Action guidelines.

Mr. Anderson noted the diversity of specialized occupations that will be involved in the convention, including: audio-visual, decorating, lighting and equipment, power distribution, teleprompter services, lighting and production designers, rigging, grandstand and bleachers, etc.

He re-emphasized that neither the HRC nor the City has ever worked to any extent with these specialized trades and occupations, and that, of course, no Affirmative Action plan geared to them especially exists. He stressed that the HRC always has tailored its Affirmative Action programs for industries' and occupations' special attributes and aspects. Unions that will play a

major role, he said, will include Theatrical Stage Employees, Local 615; Scenic Artists Local 816; Sign Display and Local Allied Craft Local 510; Hotel and Restaurant Bartenders Union Local 6; and Service Employees Union Local 14.

Mr. Anderson said further that the HRC had been given "limited details" about what the production of the convention will entail. He said the HRC as a matter of policy delineates components of an Affirmative Action program and substantiates what it recommends. He then read the draft document in full, which he said was designed to provide a concise, workable, competent program to address the production phase.

Mr. Anderson said that the Production Phase document draft had received a favorable response when shown informally to City officials, and that it was intended to provide a brief, short-term, tailor-made, and precise program.

Following his presentation, he responded to a number of inquiries from Commissioners and in his responses he underlined that there are still areas (availability of minority/women representation in unions, etc) where information still is being sought.

- Commissioner Moulton requested that copies of breakdowns on the availability of minorities and women in specialized occupations be sent to the Commissioners.

Commissioner Revelo inquired about outreach services to MBE/WBEs, and Director Mickins said that a well-known local firm, Homitz, Allen has submitted a proposal for using its computerized listings of MBEs/WBEs in San Francisco the Bay Area and the nation, and that he hoped approval would be forthcoming to employ this firm.

A key factor in the whole picture, Mr. Mickins said, is that there be assurance that MBE/WBEs get early and complete notification of the business opportunities available, and that they have the opportunity to compete in the bid process.

- Mr. Hesse then reviewed the formal proposal by Homitz, Allen of the chronological actions that were recommended be followed in implementing an Affirmative Action program. These included: review of contracts expected to be let; identification of potential MBE/WBE matches with contract opportunities; determination of realistic levels of possible MBE/WBE involvement; interviews with interested MBE/WBE firms (through group meetings, individual interviews or possible structured seminars); assistance to MBE/WBEs in submitting bids and proposals; and post-award assistance.

Mr. Hesse said that the biggest problem the HRC currently faces in this whole area is the basic lack of specific information from the City, such as just what kinds of contracts are expected to be let.

Mr. Hesse also pointed out that in the Official Proposals (referred to earlier) released February 3 by the Department of Public Works, pre-qualification standards listed include the term "large scale" applied to experience needed in indoor production work, stage and television production management, and audio-visual systems expertise, a fact which he implied would make it more difficult for MBE/WBEs to qualify. He noted that MBE/WBE electical contractors the HRC heretofore has worked with are experienced in installing permanent electical wiring and equipment, but that at the convention, lighting and other equipment will be leased, rigged temporarily, and then dismantled, calling for a different level of expertise and experience.

Mr. Hesse read from the list of specialized work the Department of Public Works' Official Proposals document contained, noting that it included building and assembling a podium, skyboxes, support offices, etc; installing and operating lighting and teleprompter equipment, sound systems and large screen video projection systems; providing rigging for support trusses for lighting, audio- and other stage equipment, etc.

Mr. Hesse said, in response to an inquiry from Commissioner Moulton about Democratic National Convention contracts, that the Mayor has indicated that she wished the HRC to have jurisdiction over them as well as those contracts under the overall City contract with the Democrats.

Commissioners Soler and Lee then expressed their wish that the HRC determine through the City Attorney the extent of its authorized jurisdiction in the whole Affirmative Action implementation field for the convention, and whether the HRc would have resources to deal with an expanded mandate.

Director Mickins said that the HRC had submitted a modest budget request to the Mayor and thence to the Chief Administrative Officer, but that there has as yet been no definitive statement of commitment to grant it as submitted.

Mr. Mickins reiterated that the HRC required immediate funding in order to hire the consultant help to begin immediately to do the necessary outreach.

It was then

*****m/s/c unanimously that the HRC put the Democratic National Convention and its contracting monitoring activity as the No. 1 priority for its work between now and July 1.

It was then

*****m/s/c (Ayes: Commissioners Chung, Lee, Lyon, Revelo, Sevilla, and Soler; No: Commissioner Moulton, saying that she objected to the use of Labor Force statistics) that the HRC adopt the HRC Affirmative Action Employment Requirements, Production Phase-1984 Democratic National Convention document as presented by Frank Anderson.

COMMISSION ON THE STATUS OF WOMEN

- Report on the December 8, 1983 Seminar for City Department Heads Regarding Sexual Harassment in the Workplace-Ms. Jacquie Hale, Coordinator, Commission on the Status of Women.

A professional consultant, Mr. Stephen Anderson-Davis, conducted this half-day seminar, given for City Department heads, at Golden Gate University. Mr. Anderson-Davis' fee and the costs of the seminar were paid by funds of the Friends of the COSW, Ms. Hale said. Fifty of the 58 City departments were represented, and eight Department Heads personally attended.

The COSW was named to provide counseling and assistance in the City and County Ordinance (San Francisco Administrative Code Section 16.9-25), prohibiting sexual harassment of City employees, establishing complaint procedures, providing for disciplinary action, and requiring distribution of the policy. This was adopted in October of 1981.

Ms. Hale said that the COSW had established a Sexual Harassment Help-line for all public and private sector employees in March of 1983. That number is: 863-SHHH. Persons who telephone with a sexual harassment question or complaint are called back by one of nearly forty specially-trained Help-line counselors, and assisted with options counseling, information, andreferrals.

The December 8 seminar, she said, elicted many favorable comments, and the COSW offered to put attendees in touch with more training films, posters, brochures, etc. for employee education and staff development. She felt that the support of the Mayor's Office was important in the success of the seminar, and that the reaction of those present was very positive.

A reported backlog of sexual harassment complaints in one City department, Ms. Hale said, is due to the delay in getting a professional staff person hired to deal with them. She noted that there already exists a Civil Service Commission panel to hear these complaints.

- Commissioner Soler suggested that Ms. Hale and here staff prepare a packet of information describing the most recent legal developments in the field of sexual harassment education, training, and policy-setting, and that it go out to all Commissioners before the next regular HRC meeting February 23.

Chairperson Wade urged that all City departments pursue the training of its internal staff in this area.

- Director Mickins commended Ms. Hale for her report, and for her service to the COSW and announced that she some months ago was promoted to Coordinator.

NEW BUSINESS

- Commissioner Lyon thanked the HRC for its formal letter of commendation and thanks to her on her completion of two terms as its Chairperson.

- Commissioners were asked to notify Gail Roberts which of the Standing Committee Co-Chairpersons would become members of the Administrative Committee meetings.

CALENDAR MATTERS

- The next regular meeting ofthe HRC will be Thursday, February 23, 1984, beginning at 9 AM in Room 1202 of the State Building, 350 McAllister. Civic Center. This meeting will begin with a closed meeting by the Commissioners to render their final decision on the question of HRC jurisdiction in the Sky-caps case at the Airport. At the conclusion of that deliberation, the regular meeting agenda of the HRC will be taken up.

STANDING COMMITTEES

Employment	Thursday, March 1, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory Committee	Tuesday, February 21, 1984 5:30 - 7:30 PM State Building, Room 1200 Civic Center, 350 McAllister Street
Housing and Urban Development	To be announced
Social Issues and Police Liaison	Wednesday, February 15, 1984 3 PM Joe Jung's Restaurant Fifth and Market Streets
Youth and Education	Thursday, February 16, 1984 3:45 PM Sherith Israel 2266 California Street at Webster Library Room

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, February 23, 1984
Room 1202, State Building, 350 McAllister

NEXT MEETING
Date: Thursday, March 8, 1984
Time: 10 AM
Place: Third Floor, Commission Room
Main Library, Third Floor

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NOTE
See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

SPECIAL ORDER

HRC Skycap Hearing Panel (Deliberations): Williams et al. and Brotherhood of Railway and Airline Clerks-AFL-CIO, BRAC (Skycaps) vs. Allied Maintenance, American and Pacific Southwest Airlines.

- Following the regular meeting (Minutes below) Commissioner Lyon announced that the HRC Hearing Panel had upheld the Director's January 17, 1983 Finding that the HRC has no jurisdiction in this case. The Director's Finding had been upheld by the City Attorney's Opinion in May of 1983, and the Skycaps had appealed in November of 1983.

ROLL CALL

Commissioners

Present: Brenda Wade (presiding), Samuel Chung, Joe Jung, Corrine Lee, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton, Nicerita Revelo, George Suncin, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Thomas Ambrogi, Rabbi Martin S. Weiner.

Staff

Present: Grant Mickins, Beatrice Cardenas-Duncan, Jack Casford, Sid Gloria, Don Hesse, Stanley Lim, Richard Norton, Clemente Obregón, Gail Roberts, Essie Thomas, David Treanor, Jackie Winnow.

No Pledge of Allegiance due to lack of a Flag.

The Minutes of the February 9, 1984 meeting were approved. Commissioner Ambrogi was inadvertently not listed as a member of the Social Issues and Police Liaison Committee.

COMMUNICATIONS

- From Mayor Dianne Feinstein, a copy of a letter to Clyde R. Jasper, who had written her regarding the U.S. Civil Rights Commission which he sees currently in a posture suggesting "the wholesale dismantling of minority gains..." , informing she had forwarded the letter to Director Grant S. Mickins, and stating she shared concerns about maintaining the Affirmative Action programs of the City.

- From Sandra Crumpler, Principal Administrative Analyst, Community Affairs, Airports Commission, a letter thanking HRC Contract Compliance Officer Stanley Lim for his participation in the minority, women and small business enterprises seminar held Monday, February 6, 1984, co-sponsored with the Oakland International Airport.

- From Mayor Feinstein, a Memorandum to all Department Heads, Boards and Commissions of February 15, 1984, attaching material concerning the 1984 Technology Achievement Awards, a competition sponsored by Public Technology, Inc., a local government staff research arm of The Urban Consortium.

- From Derek Claudius, Vice President, Gensler and Associates, Architects, a letter thanking HRC Contract Compliance Officer Bayard Fong and Housing

Coordinator Donald Hesse for meeting with him regarding Affirmative Action commitments on a Staging and Production project/contract at Moscone Convention Center in connection with the 1984 Democratic National Convention.

- From William R. Campbell, Senior WRC Engineer, State Water Resources Control Board, Division of Water Quality, a copy of a letter to Donald Birrer, Executive Director, San Francisco Clean Water Program, regarding review of the Affirmative Action Plan for the Southeast Community Facility (SECF).

DIRECTOR'S REPORT

- HRC Role in Planning and Production Contract Affirmative Action for the Democratic National Convention. (continued from HRC meeting of February 9, 1984).

The Mayor's Office has approved using consultant services by Homitz, Allen to provide outreach assistance for the HRC in recruiting minority and women business enterprises (MBE/WBEs). The proposal of Homitz, Allen had been discussed in full at the HRC's February 9, 1984 meeting.

Mr. Mickins said that the contract agreement between the City and County and the Democratic National Convention Committee grants each party the right to approve any contractor or any other person working in relationship to the planning and the operation of the Convention.

The Director further reported that the Prequalifications bids by contractors were submitted to the Department of Public Works February 21, 1984. The Official Proposals document as sent out by the DPW had been discussed at the HRC February 9, 1984. Forty-Five firms had requested applications, Mr. Mickins said, but only four had returned bids. He said he has been advised that the Department of Public Works will use the Request for Proposal procedures in reviewing and eventually granting the contract to the most qualified bidder.

The HRC's Affirmative Action Employment Requirements guidelines for the Production Phase of the Convention had been adopted by the HRC (after discussion at the February 9, 1984 regular meeting led by Frank Anderson of the HRC staff, who is coordinating HRC involvement in the projects). These guidelines have been discussed by HRC staff with the outreach consultants with emphasis on the problems in identifying and contacting minority and women-owned businesses with experience and specialized background in the kinds of work that are required to produce the Convention.

Based on the above discussions, Mr. Mickins said a goal of at least 16½% MBE and 2% WBE participation has been set, to apply to the total $4.9 million that the City has committed to the Production Phase of the Convention. This would mean approximately $700,000- $800,000 in contracts to MBE/WBEs, Mr. Mickins estimated.

Mr. Mickins stressed again that the HRC faces "great difficulty" in finding MBE/WBE potential contract bidders in the specialty functions of the Production Phase, such as lighting installation, operating rigging for support trusses for audio and stage equipment, placing seating, carpeting, and building and assembling podiums, skyboxes, support offices, etc. But he noted that when the Clean Water Program first was presented as an HRC Affirmative Action responsibility there had been difficulty in finding heavy engineering, marine work, and other MBE/WBE specialities. They were found, however, and he noted that the original goal of 10% was eventually raised to 16% and that, in addition, it provided the experience so that now there is a pool of MBE/WBE heavy engineering firms for future Affirmative Action.

Stanley Lim, HRC Clean Water Program Coordinator, responded to Commissioner Morrissey's questions on the point of availablity of MBE/WBEs in the specialized areas that there is no "hard information" at present on the numbers and availability of MBE/WBEs experienced in light construction (as in the Convention work-types named above).

Mr. Mickins said that the HRC experience had been that when it required prime contractors to meet MBE/WBE goals, that they have done so by utilizing a significant number of subcontractors, or by other means, such as joint-venturing.

In response to a direct question about the 16% goals presently set, Mr. Mickins said that a goal of 10% would be unrealistically low, and that 25% would be nearly impossible to achieve.

Commissioner Moulton then expressed her strong concern about contracts to be let for vendors and other small businesses, at the Convention, and whether the HRC would be monitoring these areas. Director Mickins responded that, according to the contract the City has with the Democratic National Convention Committee, the latter shall have full responsibility programs, novelties, memorabilia, etc. contracts. Concessions and food service will be the preview of Facilities Management, Inc. the management agency for the Moscone Center. He said, however, that the HRC expects to become involved in this area.

At this point Commissioners considered a 13-page document entitled, "HUMAN RIGHTS COMMISSION-AFFIRMATIVE ACTION PROGRAM For Production of Temporary Facilities For Democratic National Convention PART I, PART II (Minority Business Enterprise /Women Business Enterprise Program)," with samples of HRC forms required.

After discussion, it was

*****m/s/c, unanimously, that the HRC adopt the Affirmative Action Program for Production of Temporary Facilities for the Democratic National Convention at Moscone Convention Center.

Commissioner Sevilla then echoed Commissioner Moulton's concerns about HRC jurisdiction over these other as-yet nondesignated functions in connection with the Convention (vendors, principally). Commissioner Soler added her concerns about other kinds of activities that would be part of Convention contracting, such as printing.

*****The Administrative Committee was then asked to work with staff before the next regular meeting to ascertain what other areas of jurisdiction, including those noted by individual Commissioners above, the HRC will have jurisdiction over for MBE/WBE participation and Affirmative Action.

- Proposed Legislation Adding Chapter 12D (MBE/WBE Ordinance) to the City Administrative Code.

The Board of Supervisor's Human Services Committee will hear this proposed legislation at 2 PM on Tuesday, February 28, 1984, probably in the Board of Supervisors' Chambers in City Hall.

- Suggested Modifications in the (proposed) MBE/WBE Ordinance.

Copies of this document were circulated. Deputy City Attorney Burk Delventhal had met with Director Mickins, Eva Jefferson Paterson (of the Coalition for Economic Equity), Stanley Lim, and Deputy City Attorney Judith Boyajian, February 22 to outline six areas of modifications in the proposed MBE/WBE Ordinance (Chapter 12D) that City Attorney Agnost deems necessary in order for his office to approve it as to form and legality for the Board of Supervisors.

The HRC at this meeting, after reviewing several suggested modifications, elected to take no further action and to notify the Board that it would take no action.

Mr. Mickins said that the Coalition for Employment Equity had met recently with Supervisors Ward and Kennedy in preparation for the opening of the Committee-level hearings.

ADMINISTRATIVE
Vice-Chairperson Joan Zamora Moulton

- Final Review and Approval of Outreach Consultant (Homitz, Allen & Assoc.) Contract to Assist the HRC Regarding Democratic National Convention MBE/WBE Recruitment.

It was

*****m/s/c, unanimously, that the HRC approve the contract as outlined by the Director in the amount of $32,500.

- Review of Proposed HRC Budget for 1984-85.

Three documents, each entitled, "Analysis of Funding Issues", dealing, respectively, with funding requested for Administration, Lesbian/Gay Community Liaison, and Intergroup Clearinghouse work of the HRC, were provided the Commissioners for study, commentary, and action.

The current year "high request" for all three areas together totals $597,504. Upgrading of Lesbian/Gay Liaison staff and the addition of a half-time Specialist II position call for an increase of $17, 847 above the High Request level; the Intergroup Clearinghouse is requesting $45,000, identical to the 15-month combined budget for 1983-84; and in Administration, $138,910 above the High Request level sought would provide one-half attorney, an Assistant Director, an Executive Secretary, a Principal Account Clerk, rental of two offices, and lease of two electric typewriters.

After discussion, it was

*****m/s/c, unanimously, that the HRC approve all the additions contained in Proposed HRC Budget for 1984-85 of $597,504, and, on suggestion of Commissioner Morrissey, the Director was instructed to present the Proposed Budget to the Mayor with the additions as outlined in the Analysis of Funding Issues documents.

- Review of Proposed Management-by-Objectives Program for 1984-85 and the Six-Month Performance FY 83-84 of the Program Performance Assessment for the MBO Program.

Commissioners studied copies of these two documents, one in list form and one in chart form. They are required under the City's extensive MBO Program initiated several years ago and applicable to all City departments. The Program Performance Assessment chart lists descriptions of ten objectives of the HRC with the Performance Assessment recommended.

- The Management-by-Objectives FY 84-85 document (of five pages) lists the goal of the Human Rights Commission, which is described as working in "Human Welfare and Neighborhood Development". It lists the HRC objectives under a code form,e.g. RY (the MBO code for the HRC)suffixed by letters A through K, each standing for one of the objectives. Proposed Performance Targets for four quarters and on an annual basis, are given in numbers, dollars, or percentages, as appropriate. For example, RYA, means: HRC Objective A "To maintain nondiscrimination for protected classes in City contracts." Under this objective are listed three activities. One (Official complaints investigated)shows the number (10) in the first quarter, with the number (2) in the second, third, and fourth, with an annual total (16)for FY 84-85.

Commissioner Soler asked that in the Fiscal Year 84-85 MBO listing, a separate goal be set for the objective "To increase the percentage of Minorities and Women in City-County Govt." She stated that women make up 45% of the available labor market in the City, and that they currently hold 33.5% of City and County government jobs.

It was

*****m/s/c, unanimously, that the RYF Objective be amended by adding "And women" as indicated. Gail Roberts, HRC Coordinator who compiles the MBO data for the HRC, said that the Program Performance Assessment Objective listing can be changed later to reflect this amendment including women.

Commissioner Moulton expressed concern that ethnic communities were not

specified in the MBO Objective RYH, "To maintain outreach to the lesbian and gay communities at current levels," and she asked that the term "ethnic communities" be added to the Objective.

It was

*****m/s/c unanimously that this change be reflected on the full 12-month Program Performance Assessment report.

- The Question of San Francisco Residency Requirements for Standing Committee Members.

Commissioner Moulton asked that the Chairpersons and Co-Chairpersons of the Standing Committees submit the pros and cons of their positions on this issue to the Administrative Committee.

- Consideration of the HRC Fee Schedule.

The Commissioner asked Stanley Lim to clarify the recommendations for changes for consideration in the near future.

- Regular Meetings of the Administrative Committee.

The backlog of work for this Committee will require its having regular meetings. The next meeting will be March 1, 1984-5:30 PM in Room 509, at the HRC Offices.

LESBIAN/GAY ADVISORY COMMITTEE

Commissioners Richard A. Sevilla, Phyllis Lyon, Co-Chairpersons

- Meetings of February 21, 1984. Commissioner Lyon.

Eddie Baca, Director of the Intergroup Clearinghouse, described the activities that are being carried out on behalf of the Proposed Addition to Chapter 12D (the MBE/WBE Ordinance).

AIDS-Ed Powers, the San Francisco AIDS Foundation, and Gary Titus, of the Department of Public Health, described the education program that is under way in the City regarding health precautions. Brochures and posters are being distributed to bath houses and sex clubs, and free prophylactics are being distributed as well. Additional educational work continues to try to prevent AIDS. A week of AIDS public education activity will take place in April.

- Report on Public Hearings- The written report and recommendations based on the findings of the two Public Hearings held November 7 and 21, 1984, on Lesbian/Gay Businesses' Employment and Hiring Practices will be completed approximately April 1.

YOUTH AND EDUCATION
Commissioners Nicerita Revelo, Rabbi Martin S. Weiner
Co-Chairpersons

- Proposed Resolution Regarding Education on Nuclear Weapons Proliferation. Beatrice Cardenas-Duncan

The Committee has been working for several meetings drafting this proposed Resolution. It recommended that, if passed, the Resolution be sent to the Curriculum Department of the San Francisco Unified School District to its review, after which it would go to the Board of Education for consideration for inclusion in the public high schools' curriculum.

It was

*****m/s/c, unanimously, (after Commissioner Morrissey expressed his personal reservation about the use of the phrase"...nuclear warfare is a problem that overrides all other questions confronting us today;") that the HRC adopt the Resolution Regarding Education on Nuclear Weapons Proliferation. The

full text of this Resolution is attached to these Minutes.

NEW MATTERS

- Commissioner Sevilla requested that the Administrative Committee consider the issue of the definitions of subcontractors, particularly at present as regards contracts at the Airport, and the exclusions of certain groups of employees and others.

- Chairperson Wade asked that the Youth and Education Committee consider the issue of the apparent lack of coordinated City preparation for childcare and teenaged activities for the offspring of persons who will be in the City in connection with the Democratic National Convention..

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, March 8, 1984 in the Third Floor Commission Room of the Main Library in the Civic Center from 10AM to Noon.

STANDING COMMITTEES

Employment	Thursday, March 1, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory Committee	Tuesday, March 22, 1984 State Building, Room 1200, 5:30-7:30 PM 350 McAllister, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	Tuesday, March 20, 1984 3 PM State Building, Room 1200 Civic Center, 350 McAllister
Youth and Education	Thursday, March 15, 1984 State Building, Room 1200 350 McAllister Street, 3:45 PM

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION REGARDING EDUCATION ON NUCLEAR

WEAPONS PROLIFERATION

WHEREAS, the threat of nuclear warfare is a problem which overrides all other questions confronting us today; and

WHEREAS, high school students will be of voting age in a short time and in order to exercise their rights as citizens it will be necessary for them to be well informed on this vital subject; and

WHEREAS, students have a psychological need to discuss their fears in a positive setting;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission respectfully call upon the Board of Education to include in the social science curriculum (or in any discipline where it is appropriate) a discussion of the "Nuclear Warfare" issue. This discussion should take into account different viewpoints, and should include exploring alternatives to international conflict. Teachers must provide students with a broad base of information in order to be informed on this issue.

##########

Resolution 2/84

Adopted by HRC 2/23/84

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, March 8, 1984
Commission Room, Main Library, Civic Center

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NEXT MEETING

Date: Thursday, March 22, 1984
Time: 10 AM to 1 PM
Place: Third Floor Commission Room
Main Library, Civic Center

NOTE
See under Calender Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda Wade (presiding), Thomas Ambrogi, Samuel Chung, Joe Jung, Corrine Lee, John Morrissey, Joan Zamora Moulton, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Phyllis Lyon, Nicerito Revelo, George Suncin, Rabbi Martin S. Weiner

It was announced that during their visit to the Philippines, Commissioner Revelo's husband had been striken ill, and the HRC asked that their concerns be written to her.

Staff

Present: Grant S. Mickins, Frank Anderson, Beatrice Cardenas-Duncan, Jack Casford, Don Hesse, Stanley Lim, Clemente Newball-Obregón, Richard Norton, Pansy Ponzio Waller, Gail Roberts, Mary Starkweather, Essie Thomas.
Visitors: Margaret Kisliuk, Program Manager, Mayor's Office, and Jim Gonzalez, Special Assistant to the Mayor, were in the audience.

Pledge of Allegiance

Minutes of February 23, 1984 approved. Gail Roberts was asked to work with Commissioner Moulton about implementation of the HRC's February 23, 1984 action amending the RYH (Management by Objectives document) by adding the term "ethnic communities."

COMMUNICATIONS

- From State Senator John Seymour, to former Chairperson Phyllis Lyon, explaining his "no" vote on Assembly Bill 1 (the measure to ban discrimination in employment on the basis of sexual orientation). Senator Seymour wrote, "My 'no' vote was based on the personal belief that a private employer should not be restrained in the hiring process because of the potential employee's sexual preference." The Senator also expressed his intention to "remain open in discussion on this or any other matter of concern to you in the future."

- From State Assemblyman Mike Roos, Majority Floor Leader, a copy of his general letter reporting on passage of AB 1 by both houses of the Legislature, and soliciting letters to the Governor urging that he sign it.

- From State Assemblyman Art Agnos, one of the sponsors of AB 1, urging the same action by letters to the Governor.

- From Mervyn F. Silverman, M.D., M.P.H., Director of Health, a memorandum to All Department Heads through Roger Boas, Chief Administrative Officer, informing of the salient points of the Smoking Pollution Control Ordinance which went into effect March 1, 1984. An internal HRC office smoking policy was instituted on that date, discussed at a General Staff meeting, and designations of smoking and nonsmoking areas made.

- From Otis F. Colpton, of Kasler Corporation, general engineering contractors, a copy of a letter to Louis A. Turpen, Director of Airports, commending Julie Yim, HRC Affirmative Action Officer working at the San Francisco International Airport, for her professional help to Kasler Corporation in meeting the Minority and Women Business Enterprise goal in the construction phase of the South Terminal Airport Apron Paving, Phase I.

- From Jim Morales, President, Latino Democratic Club of San Francisco, a copy of a letter sent also to Mayor Dianne Feinstein and Supervisor Wendy Nelder, President of the Board, reporting the vote of the membership of the Club at its February 1984 meeting to support the proposed ordinance adding Chapter 12D to the City Administrative Code, creating an MBE/WBE contracting commitment for the award of City contracts.

- To Ms. Nancy Pelosi, Chair, Democratic National Convention Host Committee, with copies to Ms. Rosalind Wyman, Convention Chair, Democratic National Convention Committee, and Richard Shaff, Manager, Facility Management, Inc., letters from Director Mickins requesting basic contract-letting plans and other information necessary for the HRC to carry out its responsibility for overseeing, coordinating, and monitoring affirmative action and contract compliance for the entire Democratic Convention.

- From Drucilla S. Ramey, Commissioner, San Francisco Commission on the Status of Women, a copy of a letter addressed to Burk Delventhal, Office of the City Attorney, with copies to Supervisors Carol Ruth Silver, Richard Hongisto, and Doris Ward, and to COSW Director Jacquie Hale, information on cases she cited in February 28 testimony before the Supervisors (the First Human Services Committee hearing on the proposed MBE/WBE program ordinance-Chapter 12D) on the question of whether the language "lowest reliable and responsible bidder" contained in Section 7.200 of the Charter can be interpreted to permit consideration of affirmative action goals for minority and women-owned businesses.

- From Commissioner Ramey, a copy of a letter to Supervisor Silver, with copies to Supervisors Richard Hongisto and Doris Ward and Ms. Hale, summarizing her testimony at the February 28, 1984 hearings cited above.

- From Mayor Feinstein, reappointing Commissioners Esta G. Soler, Corrine Lee, Dr. Thomas E. Ambrogi, and Dr. Brenda K. Wade to new four-year terms on the HRC.

- From Mayor Feinstein, acknowledging receipt of a copy of Resolution 1-84 adopted by the HRC January 12, 1984 regarding proposed recommendations for Children, Youth and their Families, stating that she shares concerns in this area, and referring to the recommendations of the Network Planning Committee regarding creation of a Commission on Children, Youth and their Families.

DIRECTOR'S REPORT

- Update on HRC Affirmative Action/Contract Compliance Obligations with the Democratic National Convention.

Director Mickins provided each Commissioner with a copy of a chart showing the current status of the HRC's work with the four major "categories" of the Convention, the Democratic National Convention Committee, Host Committee, the DNC-Prime Contract, and Facility Management Incorporated. This breakdown, showing the type of function of each category, e g., to erect temporary facilities, sponsor the convention, act as the City welcoming committee, and to manage the convention facility (Moscone Convention Center), the dollar amount of contracts it is estimated would be let, the jurisdiction (such as the HRC's authority under the Non-discrimination Ordinance--Chapter 12B of the City Administrative Code), the number of contracts, the status of bidding, and the identified bidders by firm name. Except for the DNC-Prime Contract with the City, most of this information for the other three categories is unknown at this time, Mr. Mickins' chart showed.

All of this information had been discussed at the meeting of the Administrative Committee March 7. Mr. Mickins and his key staff met with representatives of all major components to the DNC including the Department of Public Works on February 27, along with the principals in Homitz & Allen, contracted to the HRC to provide MBE outreach consultant services, and Michael Levine, also working with the HRC on the convention labor union relations aspect.

The meeting was to clarify the various roles the parties to the meeting are to have in the affirmative action aspect ofthe convention contracting, as well as to re-emphasize the HRC's mandate as stated by the Mayor to oversee, coordinate, and monitor affirmative action and contract compliance for the entire Democratic Convention, including the activities of the Host Committee. See Communications section of these Minutes.

The HRC staff also has met in the pre-qualification stage with FM Productions and A & J Contracting for the prime contract (of approximately $4.5 million) to erect temporary facilities for the convention, and Stanley Lim and Frank Anderson went through the percentage goals (16% for MBEs and 2% for WBEs) applicable. Job specifications have gone out, with HRC goals attached, and there will be a pre-bid conference at City Hall March 16 for all prospective bidders (the prime and possibly 21 subcontractors to be selected). Bids are to be opened by March 28, at which time it will be known what subcontracts have been let to MBE/WBEs.

- Commissioner Moulton asked that Commissioner Yamakawa prepare a position paper on the HRC definition of subcontractors, so that some firms that "fall throught the cracks" now will not in the future.

Commissioner Moulton also stressed that the Host Committee should be reminded that maximum participation by ethnic community-owned firms should be sought for the catering aspect of the convention. She said also that vendors in all aspects that will be required are available in the City's ethnic communities.

Director Mickins reported, still referring to the Status Report chart, that whether Facility Management, Inc. (FMI) will be providing food, drink, and other services to the convention is a question which has not yet been resolved.

- Report on Hearing by Board of Supervisors' Human Services Committee February 28, 1984 on Proposed MBE/WBE Ordinance.

This hearing attracted a crowd large enough to require use of the Board Chambers in the City Hall. Some thirty speakers made statements. Most of the opposition was from the Associated General Contractors, especially on the point of local preference requirements. Mr. Mickins reported that several new drafts of the proposed ordinance adding Chapter 12D to the City Administrative Code have been written since the hearing, at which strong support and praise for the groundwork of the Human Rights Commission was expressed.

Director Mickins also distributed copies of a bulletin published by the Coalition for Economic Equity as part of the public-support effort to secure passage of the proposed MBE/WBE Ordinance.

Some administrative questions have been posed to the Human Services Committee by the City Purchaser's Office, the Airports Commission, the Office of the Controller, and the Public Utilities Commission.

The next hearing on the proposed Ordinance by the Human Services Committee will be Friday, March 16, at 2 PM in Room 228, City Hall.

STANDING COMMITTEES

ADMINISTRATIVE

Commissioner Joan Zamora Moulton, Chairperson

- Residency Requirement for Standing Committee Members.

Commissioner Moulton said that she had thus far received only one response, that from Commissioner John C. Morrissey, to her request that the Chairpersons and Co-Chairpersons of the Standing Committees submit the pros and cons of their Committee positions on this issue. She suggested that persons presently members of the Standing Committee who do not qualify through residency might be made associate members.

The Administrative Committee will bring a recommendation to the HRC at a later date.

- Request for Approval of Consultant Contract with Michael Levine re: Employment and Labor Union Practices Democratic National Convention.

Mr. Levine has wide experience in working on conventions and with labor unions and other entities involved. His contract would be for less than $5,000.

It was

*****m/s/c that the HRC approve the Proposal to Contract with Mr. Levine for his services as noted.

*****At the request of Commissioner Soler that there be established a regular, periodic meeting schedule for the Administrative Committee, it was decided that it will meet for luncheon after the twice monthly, second and fourth-Thursday meetings of the HRC. A room most likely can be reserved at Knight's Restaurant on Golden Gate Avenue, one block north of the Main Library.

- Proposed Fee Schedule for Contract Monitoring--Stanley Lim

Mr. Lim gave a bare-outlines description of the Fee Schedule he has drafted which would cover construction contracts ranging from $15,000 to $150 million. He said there is precedence in City government for imposition of fees by City departments for their services to contractors, such as the City Planning Department fee schedule for processing codominium conversion requests, variances, and Environmental Impact Reports.

In 1981, the City Attorney, at the HRC's request, ruled that it was legal for the HRC to assess fees, as long as they were reasonable and based on unit costs. Mr. Lim's recommended fees would be based on the time staff spends monitoring contracts. A typical recommended fee would be $1,600 for a contract with a value of between $800,000 and $1 million, for one year. Further factors used by Mr. Lim include the four major levels of clerical and professional staff work needed.

Mr. Lim pointed out that the fee schedule is intended to supplement, not subsitute for, the HRC's operating budget. Contractors would be asked to submit checks for the full fee with their bid proposals for credit to the HRC budget.

He noted that contractors add, as a matter of course, fee costs to their bids, so that, ultimately, the City (the taxpayers, in the City's instance) pays the fee. He will recommend that fee schedules not be applied to non-profit organizations.

*****Mr. Lim will make a full report and there will be HRC reaction and discussion on the recommended Fee Schedule at the HRC meeting of March 22.

EMPLOYMENT

Commissioners Esta Soler and Corrine Lee--Co-Chairpersons

- Report on Employment of Minorities and Women with the San Francisco Convention Facilities from July, 1983 through December, 1983 - Richard Norton, Contract Compliance Officer.

- Mr. Norton's written report was in both narrative and statistical form, with tables showing employee breakdowns by job categories, and by ethnic representation, showing totals and percentages of minorities of the laborforce, and the level of Affirmative Action goals reached.

This was the third such informational report. It notes that the Moscone Convention Center, Brooks Hall, and Civic Auditorium are all managed by Facility Management, Incorporated of California, known as FMI.

The criteria used to establish the goals in the 1983-1984 Affirmative Action Agreement were based on a combination of the 1980 Census figures of San Francisco, the labor market and population, the number of permanent position in a category, availability, and previous workforce report information.

FMI submits regular workforce reports to the HRC, and Mr. Norton's report for the six-month period was taken from these statistics, which are further analyzed on a category-by-category basis. His narrative showed the status for union employees,

temporary employees (some data still being compiled), and an explanation of the various columns of data in the tables.

During the 1983-1984 Fiscal Year, Mr. Norton said, there had been one formal complaint of racial discrimination filed against FMI, and it was resolved within two months. Seven informal racial discrimination complaints, naming FMI, however, also were lodged at the HRC.

In his conclusion, Mr. Norton noted that the statistics show that minorities and women have secured jobs in most employment categories, but that despite improvement in most categories, there remains a need to increase their participation in others.

Commissioner expressed individual commendation for Mr. Norton's report, which Commissioner Moulton said she considered "one of the best I have seen."

It was

***** m/s/c that the HRC accept the Report on Employment of Minorities and Women at San Francisco Convention Facilities from July, 1983 through December, 1983.

- Annual Airport Employment Profile - Clemente Newball-Obregón, HRC Affirmative Action Officer.

Copies of this report, which consisted of two pages of narrative data and eight of tables and charts prepared by Mr. Obregón, had been sent in advance to the Commissioners.

The report covers the workforces of tenants who lease or rent space at San Francisco International Airport. It is based on responses to a questionnaire mailed in October 1983 to all tenants. Of the 133 questionnaires sent , 84 were returned.

Mr. Obregon reported that tenants at the Airport generate revenues ranging from $336 to $19 million annually, with the amount of rent or fees paid set at a percentage of the gross income, or a guaranteed annual minimum.

Generated fees for 1980-81 were $90 million; for 1981-82, $122 million; and as of June 30, 1983, $105 million.

Six industries and categories were used for the survey: Aircraft Services, Airlines, Passengers-Transportation-Parking; Auto Rental; Aircargo-Freight; and Concessionaires and Miscellaneous.

Three complex and extensive complaint cases were outstanding at the Airport during 1983-84, Mr. Obregon reported. They were: the so-called Skycaps case, in which the HRC, after an Appeal of the Director's Finding of nonjurisdiction, upheld that Finding, on February 23, 1984; the so-called Janitor's case, where the HRC Director found World Service, Inc, a subcontractor to American and Pacific Southwest Airlines, in violation of Chapter 12B, on the basis of having all its workforces made up of Korean workers. Since that Finding, Mr. Obregón reported, World Service, Inc. has integrated its workforce and resolved its differences with Local 77; and the complaint case involving Quantas Airlines which is still under investigation.

Mr. Obregón then discussed the following highlights from his report:

1. The total workforce has increased by 1,053 over 1982. The workforce for the last three years: 1981-26,376; 1982-24,265; and 1983-25,318.

2. Females in the workforce for the last three years: 1981-7,984; 1982-7,949, and 1983-8,060.

3. Minorities in all categories for the three years: 1981-7,229 of the total of 26,376, or 27.4%; 1982-6,490 of the total 24,265, or 26.7%; 1983-6,889 of the total 25,318, or 27.2%.

4. Of all the categories, there is a very low percentage of minorities and women in the Professional category.

1981: out of 3, 155, only 106 were minorities, or 4%.
1982: " " 2, 290, " 93 " ",or 3.8%.
1983: " " 2, 722, " 99 " ",or 3.7%.

The category that has the highest percentage of minorities is Laborers.

1981: out of 824, the minorities were 517, or 62.7%.
1982: " " 924, " " " 614, or 66.4%.
1983: " " 874, " " " 565, or 64.6%.

5. The minority women in the total workforce:

1981: total workforce 26,376 minority 2,104, or 7.9%.
1982: " " 24,265 " 1,780, or 7.3%.
1983: " " 25,318 " 1,922, or 7.5%.

After comparing the statistics over the last three years, the changes are not significant in any industry or category.

Now that the economy has started to pick up, it is hoped that there will be some significant increases, both in numbers and minorities.

Mr. Obregón responded to questions from several Commissioners following his formal report presentation. Commissioners Yamakawa and Morrissey expressed disappointment over the apparent continued lack of participation of minorities at the Professional level. It was noted that although the number of Professional jobs rose from 1982 to 1983 from 2,290 to 2,722, only six more minorities or women (99 versus 93) were in this category by 1983. Mr. Obregón noted the need for more aggressive outreach effort and information so that employers can know of the existence of minorities in all the professional categories.

Commissioner Moulton called for individual ethnic members of the HRC to make it their responsibility to inform HRC staff of minority and women/owned firms, and minority and women individuals for these job categories. Director Mickins noted that the HRC is making a special outreach effort in its work at the Democratic National Convention. Commissioner Ambrogi joined his colleagues in urging an expanded effort in this area, and the Director noted that the HRC has several times co-sponsored seminars and workshops at the Airport to inform prospective contractors of MBE/WBE opportunities and that within the past month a seminar was held explaining to MBE/WBE firms how to participate in airport contract bidding procedures and had drawn a large crowd.

- Commissioner Chung requested that references to Korean employees not be worded "Korean nationals", because this implies that they are representatives of the Korean government.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, March 22, 1984 in the Third Floor Commission Room of the Main Library in the Civic Center from 10 AM to 1 PM.

STANDING COMMITTEES

Employment	Thursday, April 5, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory Committee	Thursday, March 22, 1984 State Building, Room 1200, 5:30 - 7:30 PM 350 McAllister, Civic Center

Housing and Urban Development	To be announced
Social Issues and	Tuesday, March 20, 1984 3 PM State Building, Room 1200 Civic Center, 350 McAllister
Youth and Education	Thursday, March 15, 1984 State Building, Room 1200 350 McAllister Street 3:45 PM

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:ltn
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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, March 22, 1984
Third Floor Commission Room
Main Library Civic Center
10 AM

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NEXT MEETING

Date: Thursday, April 12, 1984
Time: 10 AM to Noon
Place: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: Brenda K. Wade (presiding), Thomas E. Ambrogi, Samuel Chung, Joe Jung, Corrine Lee, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton, Richard A. Sevilla, Esta Soler, Rabbi Martin S. Weiner, David K. Yamakawa.

Excused: Nicerito D. Revelo, George A. Suncin.

Staff

Present: Grant S. Mickins, Betty A. Burrell, Beatrice Cardenas-Duncan, Jack Casford, Don Hesse, Stanley Lim, Richard Norton, Gail P. Roberts, Mary Gin Starkweather, Jackie Winnow

Margaret Kisliuk, Program Manager, Mayor's Office

Pledge of Allegiance

Minutes of March 8, 1984 approved.

COMMUNICATIONS

- From John L. Taylor, Clerk of the Board, a Memorandum to Heads of All Departments and Agencies regarding the Annual Statement of Economic Interests required to be filed with the Clerk, with a copy retained on file in the office of the department or agency head. These forms are to be filed by April 30, 1984.

- From Mayor Feinstein, her March 16, 1984 letter to Supervisor Carol Ruth Silver, Chair, Human Services Committee, regarding seven concerns about the proposed ordinance, Chapter 12D, establishing goals for MBE/WBE contracting participation. See discussion under Director's Report.

- To Eugene Gartland, Director, San Francisco Port Commission, with copies to officers and members of the Port Commission, a letter from Director Mickins responding to the decision by the Port to reduce the proposed funding for the Port-HRC Affirmative Action Program by approximately two-thirds for Fiscal 1984-85. See Director's Report for further discussion on this subject.

- HRC Decision on Appeal, Case-113-82, in Skycaps case (Williams and Brotherhood of Railway and Airline Clerks, AFL-CIO v. American and 16 other airlines, and Allied Maintenance Corporation, affirming the dismissal by the Director of the second amended complaint (by Williams and other Skycaps and their union) by the Director. Mr. Mickins asked that the Hearing Panel reconsider wording of one of the paragraphs of this Decision on Appeal and it was re-referred to that body.

- From Ken Kinnard, P and K Trucking, a Western Union Mailgram to Chairperson Brenda Wade, informing of notice of intent to file a complaint against the Director and Stanley Lim re: a Staff Complaint on their behalf.

Mr. Mickins informed the HRC that the complaint was long-standing, that it pertained to a dirt-hauling contractor at the Southwest Ocean Outfall project and a major dispute over the rates the minority business trucker wished to charge the prime contractor. The HRC has been in protracted efforts to resolve the dispute, without success, he said, and he is working on a Finding, to be released as soon as possible.

DIRECTOR'S REPORT

- City of San Francisco Local Government Project

This project will be administered jointly by the City Purchaser's Office and the HRC, for an initial one-year period beginning May 1, 1984. Indications are it will be funded for $100,000 by the federal Minority Business Development Agency (of the U.S. Department of Commerce). The federal program is called Local Government Minority Business Enterprise Program. It will establish and implement a Minority Business Enterprise (MBE) in City and County procurement, with specific goals.

Mr. Mickins said it would be renewable over a period of four years, at reduced amounts each year. He noted that it makes no provision for specific goals with respect to women-owed businesses because the federal protected categories do not currently include women. He said similar programs had been working successfully in West Coast cities, including Oakland and SanDiego, and had created more minority participation in municipal contracting. He described the program basically as an outreach operation, and announced that Linell Harden, an experienced HRC Contract Compliance Officer, had been based in the City Purchaser's Office for several weeks, and he currently was compiling an MBE directory. The program also will give technical assistance to potential MBE bidders, such as how to secure bonding and other factors.

- Proposed MBE/WBE Ordinance Status.

The Human Services Committee of the Board of Supervisors held its second and final public hearing on the Proposed Chapter 12D (to establish MBE/WBE Participation guidelines and goals for City contracting) on March 16, 1984. A number of supportive statements were made by the public. Immediately prior to that hearing, the Mayor had submitted in writing to the Chair of that Committee, Supervisor Carol Ruth Silver, a letter detailing seven specific points of concern with the wording of the proposed ordinance, and stating, in conclusion: "I am hopeful that the Committee can resolve my concerns.... My signature is conditional upon my receipt (of such an ordinance)."

Mr. Mickins read from the Mayor's March 16 letter, and discussed how, after HRC discussions with members of the Mayor's staff, her concerns had been addressed and resolved.

The Human Service Committee voted to send the proposed Chapter 12D ordinance to the full Board with a "do pass" recommendation at the meeting of March 26,1984 at 2 PM in the Board Chambers.

- Budgets for HRC and Commission on the Status of Women.

The budgets for these two agencies will be discussed in a meeting scheduled with the Mayor for 10 AM on Friday March 30.

Mr. Mickins announced that funding for HRC Affirmative Action services originally agreed upon by the late Port Commission Director has been cut by

two-thirds by his successor. Mr. Mickins will have an opportunity to discuss the problem of this cut with Port Director and the President of the Port Commission, Dr. Arthur Coleman, on April 3. The Director noted that the Port Commission is planning a comprehensive capital improvements program on its land during the next five years.

- Democratic National Convention.

On March 15, the HRC was informed by Jeffrey Lee, the Director of the Department of Public Works, that one of the two pre-qualified bidders to undertake setting up and installing the convention facilities (under a $4.5 million contract) had withdrawn from the project, leaving A & J Contracting of New York City as the only prime contractor bidder, and that therefore there was no need for a pre-bid conference. The HRC's consultant for outreach had already invited a number of MBE/WBE subcontractors to a pre-bid conference. The HRC subsequently was informed by Mr. Lee on March 19 that FM Prodution might be bidding to be a subcontractor on the job, in order that there be local firms involved.

The HRC now wishes to make certain that it is a part of negotiations from this point on.

Apropos of the public reporting that the cost of the City's convention preparation and presentation will be some $1.8 million more than originally announced, the Director noted that the HRC's estimates of the contracting goals for MBE/WBE bidders on the project will rise accordingly from the original $800,000 to approximately $1.3 million.

HRC staff continue to be heavily involved in the planning and progress of the convention project.

STANDING COMMITTEES

EMPLOYMENT

Commissioners Esta Soler and Corrine Lee
Co-Chairpersons

- Fee Schedule Proposal for Construction Contracts - Stanley Lim, Contract Compliance Officer.

Mr. Lim had given a brief description of this proposed Fee Schedule to the HRC at its March 8 meeting.

He provided each Commissioner with a copy of his written proposal, consisting of a narrative section and three tables, a Contract Compliance Time Study, a Fee Schedule Cost Study, and a Fee Schedule (based on the cost of contracts in ranges from $15,000 to $154 million or more) Applicable to Construction Contracts. Also included was the 1981 amendment to the San Francisco Municipal Code (City Planning Code) to provide for fees and exemptions by the Department of City Planing.

Largely verbatim, from Mr. Lin's written portion of his presentation (which he referred to in using charts on an easel), here are the highlights of the proposal:

In recent years, the HRC staff has been monitoring and servicing, without compensation, an increased number of contracts awarded by the various City Departments (e.g. the Department of Public Works. Parking Authority, etc.)

At the request of the HRC, the City Attorney, in May, 1981, issued Opinion No. 81-82, in which he concluded: "The Board of Supervisors may enact a fee schedule to cover the costs incurred by the HRC in monitoring compliance by bidders with nondiscrimination contract provisions, as long as those fees are reasonably related to the actual or estimated costs of such regulation."

Other City departments charging a user's fee for services rendered include the Department of Public Works and the Department of City Planning. Each of them imposes a fee schedule based on either the cost of contract or the number of units of a given project. For the HRC's purposes, the cost of construction seems to be most appropriate base for establishing a fee schedule.

Table I of the report explains the tasks and the average time required for the monitoring of construction contracts. Several elements have been taken into consideration:

A. Contracts are divided into three categories or sizes -- small (between $1 million), mid-size (between $1-6 million), and large (more than $6 million).

B. Usually there are 7 steps -- from prebid conference, to preaward evaluation, to complaint processing -- required for monitoring most contracts. The frequency and time involved in each task vary from one size group to the next. With certain exceptions, an HRC staff person is required to spend about 87 hours to service a small contract; 227 hours to service a mid-size contract; and 413 hours for a large contract.

C. Under the assumption that a professional staff person works 230 days or 1840 (net) hours a year, it is estimated that one can monitor 21-22 small contracts, 8 to 9 mid-size contracts or 4 to 5 large contracts a year.

Table II, the Fee Schedule Cost Study, showed the estimated cost per staff member (four levels of staff assistance are needed: Clerical, Journeyman Contract Compliance Officer, his/her supervisor, and the Director/ Office Manager. Thus, for a contract up to $1 million, the services of these four levels of staff, with the addition of a 10% miscellaneous (postage, duplication, and other professional services) costs, the fee proposed per contract for one year would be $1,610.

Table III, the Fee Schedule proposed to be applicable to construction contracts, showed, for example, that a fee of $48 would be assessed for a contract of between $15,000 and $30,000 (at the lowest range) up to a fee of $169,400.00 for a contract of between $148,000,001 and $154,000,000. For contracts over $154,000,001, the fee would be $16,940 plus .10 of one percent of the base bid.

Based on the number of construction contracts awarded in 1983 and other available information on the number of potential contracts to be monitored by the HRC, the estimated revenues generated through a fee schedule would be as follows:

A. Department of Public Works - 40 contracts -- $90,000 - $100,000

B. Office of Community Development - 110 contracts -- $90,000 - $100,000

C. Including other departments (Airport, Cleanwater, Port Commission etc.), the total revenue could be in the range of $250,000 to $300,000.

Because of the increasing difficulty in getting the awarding departments to fund the HRC for monitoring services, a fee add-on to the cost of the contract (as permitted by the City Attorney's opinion) as a way to compensate the HRC is the most acceptable solution, said Mr. Lim, and he recommended that the HRC approve the Fee Schedule Proposal, direct the City Attorney to draft an ordinance, and submit it to the Board of Supervisors for approval.

Following Mr. Lim's presentation, there was comment from several members of the HRC.

Commissioner Moulton urged that safeguards be provided in the proposal against any attempt to deduct from the HRC's regular ad valorem budget or work programs for the possible increments from fee schedules. Mr. Lim stressed that the schedule is not intended as a replacement for budgeting, but as a supplement to regular budgeting. He said that current work order departments would be given the choice of either a lump-sum fee or an amount mutually negotiated.

Commissioner Lyon concurred with Commission Moulton's concerns.

Commissioner Morrissey said that he felt the Fee Schedule Cost Study showing the staff-time costs estimates for contract-handling omitted two areas of expense:

1. Added costs for employee benefits over and beyond salaries.

2. Overhead costs to the HRC, such as rent.

He also said that the costs to the HRC for its services to bidder who ultimately are unsuccessful in getting a contract also should be factored in.

Commissioner Chung wanted to know how many contracts the HRC can expect to be handling, and suggested a flowchart be maintained to show the actual hours expended in the work by staff.

Commissioner Jung noted that bidders will figure the extra fee costs into their bids.

Commissioner Sevilla asked if other City departments could be surveyed as to their experience with levying user fees on bidders/contractors.

Commissioner Moulton then commented on the status of nonprofit firms as far as the proposed fee schdule, and she urged that the HRC have direct input into the drafting of proposed legislation by the City Attorney's Office.

After active discussion on these and other points, it was

*****m (Morrissey) s/c that the HRC ask staff to re-examine the Fee Schedule Proposal for Construction Contracts in light of the concerns expressed by the Commissioners and return to the HRC at a upcoming regular meeting.

LESBIAN/GAY ADVISORY

Commissioners Richard Sevilla and Phyllis Lyon
Co-Chairpersons

- Meeting Report.-Commissioner Sevilla.

The Committee met March 20. With the addition of seven new members it now numbers fifteen. A new orientation pot luck meeting will be held April 4 for these new members.

1. The Committee will ask the Director and Chairperson to establish an AB 1 Subcommittee, to act as a basic taskforce to marshall public education and documentation on the continuing need to have a Statewide protection for Lesbians and Gays from discriminatory practices. (Governor Deukmejian on March 13 votoed Assembly Bill 1 which had been passed by both houses of the California Legislature. The HRC had endorsed AB 1 since its first introduction in the Legislature some five years ago.) A letter will be written to Governor Deukmejian deploring his action, and to Assemblyman Art Agnos, the main proponent of the bill and the architect of its progress through the current Session, thanking him.

2. Concerns regarding health services to Third World Lesbian and Gay people who are City employees were expressed at the Committee, which plans to invite representatives of the health services system to respond to them.

3. The Committee discussed a San Francisco Examiner article regarding expulsion of people with AIDS from a hotel. Further action in the form of letters to the Examiner and the Mayor will be brought to the next HRC meeting for approval.

4. Commissioner Sevilla paid tribute to the two HRC Lesbian/Gay Community Liaison staff people, Eileen Gillis and Jackie Winnow, and to the L/GAC interns, Maria Santiago and Barbara Stratton, for their capable handling of a heavy workload, particularly during the AB 1 crisis. Chairperson Brenda Wade also expressed special thanks.

SOCIAL ISSUES AND POLICE LIAISON

Commissioners John C. Morrissey and David K. Yamakawa Jr.
Co-Chairpersons

- Committee Report.

Eugene M. Swann, Director, since October of 1983, of the Office of Citizens Complaints (under the Police Commission), was a guest of the Committee at its March 20 meeting. He discussed the operations of this new office, which has two senior investigators and seven staff investigators, plus clerical support. They receive and process complaints brought by the public charging misconduct by Police officers. Some 700 complaints were received between October, 1983, and the end of January, 1984. Only 100 required more extensive followup, and of these, only seven, after investigation, were recommended for hearings. None of the hearings has yet been requested by the complainants.

Mr.Swann also responded to concerns brought by Camilleann Nelson, of the Third World People of Color Gay/Lesbian Conference, regarding certain questions used presently on the Office of Citizens Complaints' Voluntary Confidential Survey Questionnaire. Mr. Swann agreed informally to some changes or possible deletions of certain portions of the Questionnaire. He said it was designed to help define a profile of the kinds of people bringing complaints, but that since it was voluntary, it was rarely utilized.

The next meeting of the Committee will be Tuesday, April 17, 1984.

NO NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, April 12, 1984, from 10 AM to Noon in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

EMPLOYMENT	Thursday, April 5, 1984 9:30 A M 1860 Mission Street, Second Floor
LESBIAN/GAY ADVISORY	Tuesday, April 17, 1984 5:30-7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
HOUSING AND URBAN DEVELOPMENT	Wednesday, March 28, 1984 2 PM Room 509 HRC Offices 1095 Market Street, Room 509
SOCIAL ISSUES AND POLICE LIAISON	Tuesday, April 17, 1984 3 PM State Building, Room 1200 Civic Center, 350 McAllister
YOUTH AND EDUCATION	Thursday, April 19, 1984 State Building, Room 1200 350 McAllister, Civic Center 3:45 PM

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:wc:ltn:bclp

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 12, 1984
Third Floor Commission Room
Main Library, Civic Center

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NEXT MEETING

Date: Thursday, April 26, 1984
Time: 10 AM to 1 PM
Place: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: Joan Zamora Moulton (presiding), Samuel Chung, Corrine Lee, Phyllis Lyon, John C. Morrissey, Nicerito D. Revelo, George A. Suncin, Rabbi Martin S. Weiner, David K. Yamakawa, Jr.

Excused: Thomas E. Ambrogi, Joe Ling Jung, Richard A. Sevilla, Esta Soler Brenda K. Wade.

Staff

Present: Grant S. Mickins, Frank Anderson, Bettye A. Burrell Jack Casford, Eileen Gillis, Ed Ilumin, Clemente Newball-Obregón, Gail P. Roberts, Mary Gin Starkweather.

Pledge of Allegiance

Minutes of March 22, 1984 approved

COMMUNICATIONS

- From Governor George Deukmejian, stating that he had vetoed Assembly Bill 1 (the sexual orientation nondiscrimination legislation, supported by the HRC for several Sessions of the Legislature), and enclosing a copy of his veto message explaining the reasons for his action. The veto message concluded with the paragraph, "While it has been argued that there has never been a 'watch dog' organization to maintain and present discrimination statistics involving sexual orientation, the proponents have been unable to provide compelling evidence that there is, in fact, widespread employment discrimination based upon sexual orientation."

- From Charlotte Washington, Employment Development, Youth for Service, accepting an appointment as member of the HRC's Employment Committee.

- From Supervisor Carol Ruth Silver, a copy of her letter to Mayor Feinstein urging the Mayor's signature to the Minority Business Enterprise legislation passed by the Board of Supervisors by a 10 to 1 vote April 2.

- From the Board of Supervisors' Budget Analyst, a copy of a draft of his April 4, 1984 to the Board Finance Committee, recommending disapproval of an HRC request for a supplemental budget of $9,000 to support the work of the Intergroup Clearing House, presently supported by $15,000 from the City.

- From Wilbur W. Hamilton, Executive Director, San Francisco Redevelopment Agency, providing information (as requested by the HRC) on contracts awarded by the Agency during calendar years 1981 and 1982, relative to the total dollar amount and percentage participation by minority and women business contractors.

- From Mayor Feinstein, a copy of her letter to the President (Wendy Nelder) and members of the Board of Supervisors, commenting on her signing of the Minority and Women Business Utilization Ordinance (Chapter 12D of the City Administrative Code) regarding City contracting participation of minority, women and local business enterprises. The Mayor specifically commends Supervisors Doris Ward and Willie Kennedy (the co-sponsors of the legislation), the Coalition for Economic Equality, and the members and staff of the HRC for their work on the ordinance. See Director's Report. The full text of this letter is attached to these Minutes

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DIRECTOR'S REPORT

- Minority/ Women/Local Business Utilization Ordinance

A public press conference was held by Mayor Feinstein April 11, at which she signed into law the amendment (Chapter 12D) to the City Administrative Code also known as the Minority/Women /Local Business Utilization Ordinance, establishing MBE/WBE participation goals for City contracting. The ordinance had been adopted April 2 on the second reading by a 10-1 vote of the Board of Supervisors.

A number of HRC members, public officials (including the ordinance co-sponsors, Supervisors Doris Ward and Willie B. Kennedy), and members of the MBE/WBE community (Coalition for Economic Equality) who had organized support for the measure, attended. Mr. Mickins noted that the Mayor had acknowledged at the press conference that she was signing historic legislation.

The Mayor has named Peter Henschel, Mayor's Deputy for Programs and Management, to coordinate implementation of the ordinance from the perspective of financial efficiency.

Mr. Mickins said that the HRC has begun the implementation stage of the ordinance, and that a period of 120 days is provided to promulgate rules and regulations (which must be by the HRC formally) for this purpose. A draft of this material will be prepared for the appropriate parties to consider in a short time, he said.

The minority and women communities have indicated that they expect to be involved "every step of the way" in the implementation process, he said, noting also that a representative of the San Francisco Chamber of Commerce and a member of the Mayor's Fiscal Advisory Committee will join in this work.

The Director also stated that the HRC has requested staff positions to do a needs assessment regarding staffing and support services it will require to implement the ordinance with each City department/awarding agency. He said that the Mayor had approved (at her budget meeting March 30 with the HRC) the addition of two professional and one clerical staff support positions at the HRC.

HRC Budget for Fiscal 1984-1985

- The Mayor met with the Director and Chairperson of the HRC and COSW March 30 regarding the HRC's and COSW budget request for fiscal 1984-1985. At that time she approved the addition of two professionals (one Contract Compliance Officer ' and one Contract Compliance Representative) plus one Clerk-Typist, in the amount of $118,500, to plan for and make a needs assessment for Chapter 12D.

- An additional request for staff additions of an Assistant Director and an Administrative Secretary were denied at this time by the Mayor, but she did approve adding a Principal Account Clerk for the purpose of assisting the Office Manager and the Coordinator (Gail Roberts) who presently handle the budgeting and Management By Objectives statistics reporting processes, respectively.

- The Port Commission, as reported earlier, has refused (by a two-thirds cut) to provide funding for the HRC Affirmative Action monitoring position and a meeting April 3 to try to resolve the matter between Director Mickins Dr. Arthur Coleman, President, and Eugene Gartland, Director, of the San Francisco Port Commission failed to do so. The Mayor's Office has ageed, Mr. Mickins said, to hold a decision on this position in reserve for the budget request from the HRC that it be funded from ad valorem funds.

- HRC Twentieth Anniversary Reception May 9.

The twentieth anniversary of the founding of the HRC will be marked by a reception on Wednesday, May 9, in the Green Room of the War Memorial Veterans' Building on Van Ness Avenue, from 5 to 8 PM. Former Commissioners, old friends of the HRC, public and private sector people who have been involved in its work, and former staff have been invited. A number of people, including many members of the Board of Supervisors, have agreed to be sponsors for the event. Jane Morrison of KNBR is spearheading a planning committee and Beatrice Cardenas-Duncan has been staffing the work of the Friends of the HRC.

STANDING COMMITTEES

ADMINISTRATIVE
Commissioner Joan Zamora Moulton, Chairperson

- Report on Monitoring Democratic National Convention-Mr. Mickins

A & J Contracting of New York City, the prime contractor for setting up and installing convention facilities for the convention in July, has not yet, Mr. Mickins announced, signed a formal contract to do so. Mr. Mickins has been asked by the Mayor to attend virtually all meetings concerned in the business aspect of the project.

The City has declared an emergency provision under Charter authority, he said, to eliminate some procedural requirements in the bid process and allow the Department of Public Works to select contractors on the basis of negotiation. Various subcontractors have been selected. Arthur Gensler and Associates have been retained by the Department of Public Works to submit design recommendations for major convention facilities. Contractor and subcontractor selection, Mr. Mickins said, is being done "very cautiously."

The Director referred also to the publicized cost increases for the setting up and leasing of facilities for the convention. Pressed as to the line of authority for making decsiions, he said that there was divided authority, with a number of agencies, including the HRC, having some influence on actions taken.

He said that the firm of Homitz & Allen, contracted to the HRC to provide MBE outreach consultant services, is very active.

Asked by Commissioner Yamakawa of any effect the City's emergency declaration eliminating some contracting procedures might have on the HRC authority in this area, Mr. Mickins said the HRC had asked the City Attorney for an informal opinion, and learned that the emergency declaration was for the purpose of expediting work only, and that it did not affect in any way contract compliance provisions for affirmative action. He said that he had made certain that all HRC requirements of City contract bidders are applicable at all times.

Mr. Mickins assured the Commissioners that he had the personal commitments of Roger Boas, the Chief Administrative Officer, Jeffrey Lee, the Director of the Department of Public Works, and the Mayor to working with full participation by the HRC.

- Policy Position on Residency Requirements for HRC Standing Committee Members.

Mr. Mickins distributed copies of Sec. 12A.6. ADVISORY COUNCIL SPECIAL COMMITTEES, OF THE City Administrative Code where, in (b), it states: "The Commission may form such special committees.....The members of such committees shall be appointed by the Mayor....and shall be residents of the City and County of San Francisco." This wording was added in an amendment to the Ordinance approved November 12, 1982.

Mr. Mickins pointed out that the old wording of Sec. 12A.6. (b) had read"..... and shall not subject to the residence requirements of the Charter."

Commissioner Morrissey's proposed draft statment of a Policy Position on Residency Requirementsfor HRC Standing committee Members was read aloud. This document, the Director said, had been adopted by the Administrative Committee. It states:

"The HRC appreciates the participation of non-resident individuals who have been attending committee meetings and acting as members; it solicits their continued support but instructs the presiding officers of its committees that such non-resident individuals are official observers but not members of the committees and hence not entitled to vote."

There followed extensive discussion on this matter.

Commissioner Yamakawa noted that the wording in Sec. 12A.6. (b) refers to special committees formed to handle specific problems, and that in his opinion it did not apply to the HRC's Standing Committees, which handle many issues and problems.

Commissioner Lee noted that there generally is a consensus of opinion on a given issue or action at the Employment Committee, for example, so that the voting or nonvoting status of an individual member is largely moot.

*****The HRC agreed to postpone further action on this matter after further consideration by the Administrative Committee.

HOUSING AND URBAN DEVELOPMENT

Commissioners George Suncin and Joe Jung, Co-Chairpersons

- Letter of Appreciation to Chevron USA, Inc. for Funding Printing Costs of the Booklet, "A Guide to Your Rights for Tenants and Landlord."- Ed Ilumin, HRC Housing Representative.

The letter was addressed to William H. Steele and Ms. Andrea Honeycutt of the Public Affairs Department of Chevron USA, INc., which paid for printing of 50,000 copies of "A Guide to Your Rights for Tenants and Landlords". 25,000 copies were printed in English, 10,000 in Chinese, 10,000 in Spanish, and 5,000 in Tagalog; some 42,000 have been distributed to date. Mr. Ilumin said there has been a gratifying response and cooperative effort in distribution by realtors, City departments, and community sources. He recommended that the Board of Supervisors might wish to acknowledge this effort by Chevron USA, Inc., as well.

- Fair Housing Week April 23-29.

Observance of the anniversary April 17 of the signing of the Fair Housing Act of 1968 Title VIII of the Civil Rights Act of 1964) will be marked by a display of pertinent materials in the Rotunda of the City Hall.

Further activities in which the HRC will cooperate will include staffing a booth to be provided by the West Coast Apartment and Condominium Show to be held April 27, 28, and 29 at Fort Mason. The Old St. Mary's Housing Committee, the Mission Housing Development Corporation, and the Rent Stabilization and Arbitration Board will share a booth which has been donated by the operators of the commercial show.

The National Fair Housing Poster Contest has a winner from San Francisco, Van Sun Dang, a Vietnamese boy of 9, who lives in the Tenderloin. Van San Dang has won second place in Region 9 (the federal district designation for the Western states) and has a chance for national stature with a trip to Washington and a schlarship award.

*****It was m/s/c to accept the Fair Housing Week Activities report by Mr. Ilumin.

LESBIAN/GAY ADVISORY

Commissioners Richard Sevilla and Phyllis Lyon, Co-Chairpesons

- Requested Approval of Letter to David Halvorsen(Editor of the San Francisco Examiner) Protesting San Francisco Examiner Article, "City Places AIDS Patients in San Francisco Motel."-

The complete text of this letter is attached to these Minutes. It asks for clarification of the position of the City concerning housing of people with AIDS. This is housing that would be provided by the Department of Social Services to clients.

Copies of the San Francisco Examiner article of March 16, 1984, of a followup article on March 21, 1984, and of a San Francisco Chronicle article on the same subject of March 17, 1984 (bylines Susan Sward and Charles Petit) were provided, along with the letters drafted by the Committee for HRC approval.

- Commissioner Morrissey said that he objected to sending the letter to Mayor Feinstein, and that it should, rather, be directed to the Director of the Department of Social Services, of the Public Health Department, the sources responsible for carrying out the questioned actions. "It is not appropriate, warranted, or politic to send it to the Mayor, he said.

Commissioner Suncin said he felt it imperative that the HRC take a stance on what he called the "sensationalism" of the Examiner article, which reported that AIDS patients had been housed in a commercial motel by the Department of Social Services.

It was then

*****m/s/c that the HRC approve sending the two letters cited above. Commissioner Morrissey voted No.

- It was announced that the next Lesbian/Gay Advisory Committee meeting will be April 19, and that the issue of the closure of Gay bathhouses in the City will be on the agenda.

EMPLOYMENT

Commissioners Esta Soler and Corrine Lee, Co-Chairpersons

- Status Report (July 11, 1983-December 31, 1983)-Office of Revenue Sharing Compliance Agreement-Frank Anderson, HRC Coordinator/ORS

Mr. Anderson has been making periodic semi-annual reports on this Agreement since the signing of a Compliance Agreement between the federal Office of Revenue Sharing and the City and County of San Francisco in June of 1979. The Agreement came about as a result of a 1978 administrative complaint filed by Latinos for Affirmative Action, a San Francisco-based group, against the City charging noncompliance with the Local Fiscal Assistance Act of 1972. Latinos for Affirmative Action had been attempting to increase the participation of Hispanics in the City workforce. Federal investigators subsequently found the City in noncompliance in several areas, including unvalidated selection devices, inadequate recruitment of minorities, a closed promotive system, severe under-representation of Hispanics at all levels, and an absence of internal discrimination complaint procedures.

This report noted the designation of the HRC role in the Compliance Agreements, which includes liaison activities with community groups, the City Attorney, the Mayor and the Civil Services Commission; technical assistance to City departments; advice on policy matters; counseling in dispute resolution; and membership on a three-person Employment Discrimination Hearing Board.

During the report period, the following factors occurred:

1. Minorities comprised 61% of all non-Civil Service appointments, unchanged from the last report.

2. A dramatic drop in Limited Tenure category hires took place, due to the Accelerated Testing Program conducted in 1983. Of the 599 appointments made, some 54% involved minority candidates.

3. In the Certified Temporary category, 82% of the hires involved minorities.

4. Some 62% of the hires in the Permanent category were minorities, including 21% Black, 11% Hispanic, 18% Asian, and 13% Filipino. The most active employment categories involved office/clerical and service/maintenance employments.

5. Thus of the total of 4,875 employment appointments made during the reporting period, 62% involved minority candidates, including 21% Black, 14% Hispanic,

16% Asian, and 11% Filipino.

Copies of the Status Report, which are available on request from the HRC offices (via Frank Anderson), are provided to the Mayor and the Board of Supervisors.

It was

*****m/s/c to adopt the Status Report (July 11, 1983-December 31, 1983) Office of Revenue Sharing Compliance Agreement.

- Statement of Economic Interests

Commissioners were reminded by Jack Casford that Statements of Economic Interests are to be filed by April 30, 1984 with the HRC office. Memoranda to that effect were sent to each Commissioner, attaching a copy each of the Manual of instruction and the Form.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, April 26, 1984 at 10 AM to 1 PM in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, May 3, 1984 9:30 AM 1860 Mission Street, Second Floor
LESBIAN/GAY ADVISORY	Thursday, April 19, 1984 5:30 - 7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
HOUSING AND URBAN DEVELOPMENT	To be announced
SOCIAL ISSUES AND POLICE LIAISON	Wednesday, April 18, 1984 3:00 PM State Building, Room 1200 350 McAllister Street, Civic Center
YOUTH AND EDUCATION	Thursday, April 19, 1984 3:45 PM State Building, Room 1200 350 McAllister Street, Civic Center

REMARKS FROM THE AUDIENCE

- Janice Ora Kramer (Kosmic Lady) announced that she would holding Basic/ Advanced Karma Training at Shanti and the Haight-Ashbury Free Clinic. She called for new ideas, new directions, and new solutions, and underlined the continuing need for peace as "hostages on a nuclear planet." She distributed a circular with her Kosmic Solar Astrolonomy chart.

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp

Attachements #1,2, 3.

PUBLIC LIBRARY

ATTACHMENT #1

OFFICE OF THE MAYOR
SAN FRANCISCO

DIANNE FEINSTEIN

April 9, 1984

Honorable Wendy Nelder, President and Members
Board of Supervisors
City Hall, Room 235
San Francisco, California 94102

Dear President and Members:

Attached with my signature is the ordinance regarding City contracting with minority, women and local business enterprises.

I am proud to have the opportunity to support this historic piece of legislation. This ordinance puts the City and County of San Francisco in the forefront of the field of civil rights legislation. It means that our City government has recognized a need and developed a meaningful way to deal with it. Few other governments have enacted such laws; certainly few governments have enacted laws that are as far-reaching.

Through the implementation of this ordinance, we recognize the need to assist businesses to deal with the City's contracting procedures, and the need to ensure a better-run and more efficient contracting system. We recognize that there are many local businesses who need assistance to develop the expertise needed to successfully compete for City contracts. We acknowledge the need to encourage as large a pool as possible of contractors competing to provide City services. We ensure that information on City contracting opportunities is widely disseminated and understood. In sum, we ensure that City contracts are not granted simply because we are familiar with the contractor, or because we have too few qualified applicants to provide specific services.

The process of developing and drafting of this legislation has been a long and careful one. It began over a year ago with hearings held by the City's Human Rights Commission. These hearings involved many City administrators as well as local businesspersons and others affected by City contracting procedures. As a result of the hearings, the Human Rights Commission worked with the affected groups to develop legislation that ultimately became the ordinance passed by the Board of Supervisors. The proponents met with City administrators and others to try to ensure legislation that would be administratively feasible and appropriate.

GAY/LESBIAN/BI ARCHIVES

I would like to extend my sincere appreciation to Supervisors Doris Ward and Willie Kennedy, the Coalition for Economic Equality and other supporters of the legislation for their willingness to work with City administrators to ensure a workable ordinance. I would also like to thank the members and staff of the Human Rights Commission, and the City administrators who have all spent much time and thought on this ordinance.

I expect positive results from the implementation of this ordinance, and I look forward to reviewing them with you.

Sincerely,

Dianne Feinstein
Mayor

DF/mk

cc: Human Rights Commission
Coalition for Economic Equality

ATTACHMENT # 2

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

April 18, 1984

David E. Halvorsen
Editor
San Francisco Examiner
110 Fifth Street
San Francisco, CA. 94103

Dear Mr. Halvorsen:

The San Francisco Human Rights Commission found your article "City places AIDS patients in S.F. motel, " by Corrie M. Anders, March 16, 1984 edition, deeply disturbing. We do not question your right to print the news, but most newspapers, except for some notorious tabloids, use discretion in what they publish when the quality of human life is concerned. We believe you hit a low point in journalism when you decided to print the story, and additionally identified the motel and its location. By doing so, your article made it necessary to uproot very ill people in the middle of the night. Such evictions could only have induced extreme stress and compassion for the seriously ill person was put aside.

AIDS is a life-threatening disease which demands public education and awareness. We sincerely hope that your newspaper sees fit to engage in presenting the real news about AIDS and leaves sensationalism aside. We would appreciate a reply. Thank you.

Sincerely,

Brenda K. Wade, Ph.D.
Chairperson

BKW:JW:bclp

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

PUBLIC LIBRARY

Attachment #3

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

April 18, 1984

The Honorable Dianne Feinstein
Mayor
City and County of San Francisco
City Hall, Room 200
San Francisco, CA. 94102

Dear Mayor Feinstein:

The San Francisco Human Rights Commission found the article, "City places AIDS patients in S.F. motel," by Corrie M. Anders, in the March 16, 1984 edition of the San Francisco Examiner, and other ensuing articles, deeply disturbing. Statments in the articles left questions about City policy concerning housing of people with AIDS. Could you please clarify what the position of the City had been prior to the Sea Captain incident and where it presently stands? We are very concerned about the stress that was placed on seriously ill people who were evicted in such an immediate manner, as well as their right to be treated as full human beings.

As you are aware and as Dr. Silverman has repeatedly pointed out, AIDS cannot be contracted through casual contact, e.g. sleeping in the same hotel room previously occupied by a person with AIDS. The articles made it appear that there was a reason for the public to be concerned about general non-sexual contact with AIDS patients by the sensationalistic reporting of the uprooting of these men and contradictory statements about what City policy was regarding the use of motel/hotel rooms for people with AIDS. Whenever future incidents occur, great sensitivity to these issues must be considered.

We look forward to hearing from you. Thank you.

Sincerely,

Brenda K. Wade, Ph.D.
Chairperson

BKW:JW:bclp

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, April 26, 1984
Third Floor Commission Room
Main Library, Civic Center

NEXT MEETING

DATE: Thursday, May 10, 1984
TIME: 10 AM to Noon
PLACE: Third Floor Commission Room
Main Library, Civic Center

DOCUMENTS DEPT.

MAY 10 1984

SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda Wade (presiding), Thomas Ambrogi, Samuel Chung, Corrine Lee, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton, Nicerita Revelo, Richard Sevilla, George Suncin, Esta Soler, Rabbi Martin S. Weiner, David K. Yamakawa Jr.

Excused: Joe Jung

Staff

Present: Grant S. Mickins, Bettye A. Burrell, Beatrice Cardenas-Duncan, Jack Casford, Gail Roberts, Mary Gin Starkweather, Essie Thomas.

PLEDGE OF ALLEGIANCE

Minutes of March 22, 1984 approved with one correction: Page 2, under Director's Report, paragraph four, line three, the word "approved" was omitted. It should read...(which must be approved by the HRC formally)...

COMMUNICATIONS

- From Supervisor Bill Maher, stating that he looks forward to working with the HRC in the implementation of Chapter 12D, the Minority/Women/Local Business Utilization Ordinance, enacted April 2, 1984.

- From Mayor Feinstein, to Chairperson Wade, responding to the HRC's April 18, 1984 letter regarding the housing of AIDS patients, and protesting an article in the San Francisco Examiner March 16, 1984 headlined, "City Places AIDS Patients in SF Motel." The Mayor described the two City programs for the housing of AIDS patients, one, administered by the Shanti Project, funded through the Health Department, and the second, part of the homeless program. The Mayor said she considered the Examiner article, "...irresponsible reporting and I expressed my extreme displeasure to the editors..."

- From Mayor Feinstein, a copy (sent to all City department heads) of her letter to Louis Hop Lee, President, and Members of the Civil Service Commission expressing concerns regarding CSC actions on discipline and termination of City employees.

- From Peter Henschel, Deputy, Management and Programs, a Memorandum sent to all department heads, attaching a timetable for drafting of the rules and regulations to govern administration of the Minority/Women/Local Business Utilization Ordinance (Chapter 12D), and asking certain administrative steps in connection with the timetable.

DIRECTOR'S REPORT

- HRC Monitoring of the Democratic National Convention.

Preparations are going forth at an "accelerated pace", Mr. Mickins reported, and the HRC has been integral in the planning process, attending all planning meetings via Mr. Mickins, or his assistants ,Donald Hesse and Frank Anderson.

Although A & J Contracting of New York City, the prime contractor setting up and installing convention facilities for the July convention, has not yet signed a formal contract, the HRC's mandate to oversee and fully implement minority and women business and employment participation in the project is still very active. There are regular and frequest meetings with DNC staff at Arthur Gensler & Associates, the prime architectural consultant firm covering planning for construction and operation of the convention.

In addition, there are frequent meetings with the Mayor and her Democratic National Convention Task Force of some 35 members.

Mr. Mickins said that until recently there had not been "the best cooperation" from the prime contractor regarding selection of MBE/WBE contractors to meet HRC goals. He said that at least two pre-bid meetings were held to which reportedly no minority or women-owned firms were invited, and that he had protested this fact vigorously, so that the meetings were re-scheduled.

Mr. Mickins reported that Homitz, Allan & Associates, retained by the HRC to provide MBE/WBE outreach consultant services, has been very active. The firm has identified MBE/WBE subcontractors, reviewed bid specifications with both contractors and the City, etc. It is anticipated that two minority owned firms soon will be announced for two major contracts: installation of sheetrock, and painting.

The Director referred to an article in the New York Times of April 23, 1984, reporting on a meeting between the Rev. Jesse Jackson and Charles T. Manatt, Chairman of the Democratic National Committee, on a number of demands on party rules for the convention, including, "Working to insure that the level of business contracts awarded to minority groups for the Democratic National Convention in San Francisco this July was (is) commensurate with their population."

Mr. Mickins said that this commitment by the Democratic National Committee had strengthened the resolve of the City to fully implement the MBE/WBE goals at the convention.

He said, further, that there has not been "the best of cooperation" as well from the local Democratic National Convention Host Committee in providing the data the HRC requires before it can certify that the goals are being met for MBE/WBE participation. The HRC is requiring employment staff breakdowns and information on contracts available and awarded. He said some preliminary data is beginning to come in and that he hopes it will be improving in the near future.

Commissioner Yamakawa commented that the criticisms heard in the public hearings in 1983 and early 1984 which led to the adoption of Chapter 12D, namely,that notification of bid opportunities are not received by MBE/WBE firms, seem to be still operative. Mr. Mickins responded that the HRC efforts in this area had achieved much greater cooperation in the past week.

- HRC B dget for Fiscal 1984-1985.

The process of approval and adoption of the Budget still is underway. The Mayor has approved the tentative HRC budget request, and approved the addition of two professional positions (one Contract Compliance Officer I, and one Contract Compliance Representative) for the implementation of Chapter 12D.

The Port Commission, it is understood, had agreed to restore full funding for the HRC Affirmative Action monitoring position and support in the amount of $83,000, agreed to by the predecessor to the present Director, Eugene Gartland. Mr. Gartland had been holding to a $32,000 figure of support, and the HRC accordingly had added the difference to its Budget request to the Mayor.

The next Budget process step is review by the City Budget Analyst, Harvey Rose.

- Commissioner Soler at this point inquired about the two professional positions recommended for the HRC, saying she had received a number of inquiries on how they are to be filled.

Commissioner Moulton said she wished this topic to be an Administrative Committee point of discussion.

Director Mickins said, in response to Commissioners Soler and Lee, that the job descriptions to be used will be those current with the Civil Service Commission for the classes named.

- HRC Twentieth Anniversary Reception May 9.

The twentieth anniversary of the founding of the HRC (in 1964) will be marked, as previously announced, by a reception on Wednesday, May 9, in the Green Room of the War Memorial Veteran's Building on Van Ness Avenue, from 5 to 8 PM.

Beatrice Cardenas-Duncan announced that 3,500 invitations have been mailed, and that the responses have started to come in. She asked Commissioners for the names of any invitees they would suggest, and said most of the approximately $1,000 reception budget had been spent.

Commissioner Yamakawa noted that the Council for Civic Unity, a co-sponsoring organization with the Friends of the Human Rights Commission, will formally announce its merger with the Friends at the reception.

STANDING COMMITTEES

YOUTH AND EDUCATION
Commissioners Nicerita Revelo and Martin S. Weiner
Co-Chairpersons

- Proposed Resolution Regarding the Creation of an Ombudsman Office for the San Francisco Unified School District-Commissioner Weiner.

Copies of the proposed Resolution were distributed in advance to the Commissioners. Commissioner Weiner said the final draft was the result of several months' work and debate (including an ad hoc subcommittee) at the Committee, with full participation by many segments of the community, including Dr. Fred Leonard, a regular Committee member representing the Superintendent of Schools' Office. He said that Superintendent Robert Alioto had stated that he would not support the Ombudsman concept. Commissioner Weiner said he was pleased to bring the proposed Resolution before the HRC because it is "an important element of human rights on the part of the families who share in public education in San Francisco."

Commissioner Myra Kopf, a member of the San Francisco Board of Education, was then introduced. Commissioner Kopf said that she welcomed the opportunity to speak to the HRC, based on her long association with it through membership on the Youth & Education Committee and on common issues. She said that she was prepared to support the proposed Resolution, if passed, and to carry it at the Board of Education. She said that although the SFUSD administration has stated that an Ombudsman is "not necessary", that she felt that there were several factors that call for this office:

1. Individual cases that need individual attention.

2. An overworked and understaffed School District Office.

3. The frustrations of parents in finding redress for their concerns.

Commissioner Kopf noted that she had worked as an Ombudsman some years ago in the District, with Carlota del Portillo (former Human Rights Commission member) and Albert Chang.

She stressed that she felt an Ombudsman office would be very helpful in dealing with complaints, and she reiterated her support of the concept as stated in the proposed Resolution for the HRC.

Commissioner Libby Denebeim, also a Board of Education member, spoke briefly to add her support to Commissioner Kopf's position, and she thanked the HRC not only for the proposed Resolution concent but for the overall work of its Youth & Education Committee.

In ensuing discussion on the proposed Resolution, in response to Commissioner Morrissey's inquiry about the cost of an office of Ombudsman, Ms. Cardenas-Duncan, staff to the Youth & Education Committee, said that two other jurisdictions (one of them Seattle) had been surveyed, and pointed out

that the Resolution calls for funding from private sources, in order that the Ombudsman office and role be kept independent of the SFUSD administration. Commissioner Denebiem noted that it is felt that a trial period of two or three years, privately funded, could be set for operation of an office of Ombudsman, with an evaluation of its performance at the completion of the trial period.

Commissioner Moulton added her support for the proposed Resolution, noting her work with placing Latino children in schools as part of the Model Cities program.

After Commissioner Lee's suggestion that the Superintendent of Schools be added (with the Board of Education) to receive the report of the office of Ombudsman, and the amendment had been accepted by Commissioner Weiner on behalf of the Youth and Education Committee, it was

*****m/s/c (at the suggestion of Commissioner Yamakawa) that she be permitted to abstain from voting in view of her conflict of interest as the Assistant Legal Adviser to the District.

It was noted that Dr. Fred Leonard abstained at the Youth and Education Committee level when the proposed Resolution was adopted for HRC action.

It was then

******m/s/c unanimously (Commissioner Lee abstaining) that the HRC adopt the Resolution Regarding the the Creation of an Ombudsman Office for the San Francisco Unified School District. A copy of the Resolution is attached to these Minutes.

- Committee Co-Sponsorship Approval for Forum on Services to Homeless Latino Youth in San Francisco.-Beatrice Cardenas-Duncan.

Commissioners were provided copies of a leaflet announcing a Forum on Services to Homeless Latino Youth in San Francisco, to be held Tuesday, May 8, from 10 AM to Noon at St. Peter's Church, 1249 Alabama Street (at 24th Street). The purpose of the Forum is to: explore the scope of the problem of Latino youth living on the streets, many of them undocumented or recent immigrants from Central and South America; arrive at a consensus about the priorities and need; and develop an action strategy to implement needed services. Program moderator will be Alfredo Rivas, Director of Friendship House, and there will be a panel of youth-serving agency representatives, of a staff member from San Francisco General Hospital's High Risk Teen Clinic, and an attorney specializing in naturalization and immigration.

Ms. Cardenas-Duncan said she had met with Latino community representatives over several weeks on the perceived increase of apparently idle Latino youth in the Tenderloin and South of Market and Civic Center areas. She had met particularly with Margaret Brodkin, Director of the Youth Emergency Services (YES) Coalition, which whom the Youth and Education Committee wished to co-sponsor the Forum.

It was

******m/s/c unanimously that the HRC approve and endorse co-sponsorship by the Youth and Education Committee of the Forum on May 8, 1984 on homeless youth in San Francisco.

Commissioner Morrissey and Chung expressed their personal feelings separately that the focus could be on all youth, rather than specifically Latino youth.

SOCIAL ISSUES AND POLICE LIAISON
Commissioners John C. Morrissey and David K. Yamakawa Jr.

- Committee Report.

The Social Issues and Police Liaison Committee met April 18. Its guests for formal presentations were Ms. Midge Wilson, Director, Bay

Area Women's Resource Center and Mrs. Jeanne Comaskey, of the Child Care Task Force, a function of the Resource Center; and Fernando Cosio, Director of Mission Community Legal Defense agency, and a member of the Committee.

1. Ms. Wilson and Ms. Comaskey discussed the work of the Center in the Tenderloin, focusing on efforts to obtain more childcare facilities for the area which presently, with an estimated population of 6,000 children, has only one childcare center, with space for 24.

The Committee endorsed a package of childcare funding bills in the State Legislature, and will be coming to the HRC May 10 with a recommendation for HRC endorsement of the objectives and programs of the Bay Area Women's Resource Center.

2. Mr. Cosio went through the provisions on the Simpson, the Mazzoli, and the Roybal bills regarding immigration and naturalization policies of this country, pointing out those areas where Hispanic and Asian communities in particular are deeply concerned (with the Simpson and Mazzoli bills) and which they hope will be amended with provisions from the Roybal alternative bill before House action, which is expected in a few weeks.

The Committee has taken action regarding these controversial measures before,and it continues its interest as a demonstration of its sensitivity to issues pertinent to minority communities in the City.

It was

******m/s/c unanimously that the HRC accept the Committee Report.

LESBIAN/GAY ADVISORY
Commissioners Richard Sevilla and Phyllis Lyon, Co-Chairperson

- Committee Report-Meeting of April 19-Commissioner Sevilla

1. Program De-Mystifying Homosexuality-This is a curriculum guide prepared by the Human Rights Foundation. The Youth and Education Committee is studying this document also, and Commissioner Sevilla will report on it at a future date.

2. Subcommittee on Assembly Bill 1 (the sexual orientation nondiscrimination bill offered by Assemblyman Art Agnos, passed by the Legislature, and vetoed by Governor Deukmejian on March 13, 1984). The Governor had stated that " ... the proponents have been unable to provide compelling evidence that there is, in fact, widespread employment discrimination based upon sexual orientation." The Subcommittee hopes to become a kind of Bay Area clearinghouse, Commissioner Sevilla said, for the compilation of data to submit to a Task Force Assemblyman Agnos has asked be set up for this purpose. Progress reports will be forthcoming.

3. Monitoring of Public Sex in Gay Bathhouses Issue

Subsequent to the debate in the City over the announced proposed official clsoure of Gay bathhouses as a means of AIDS control, the Lesbian/Gay Advisory Committee will co-sponsor, with the Coalition for Human Rights, an invitational meeting seeking input from representatives of a wide range of Lesbian and Gay organizations to set up guidelines for the monitoring of sexual activity by clients in Gay bathhouses. Commissioner Sevilla said it was hoped to develop a dialogue on what actions can be taken as alternatives to the government actions that are widely opposed.

It was

******m/s/c that the HRC approve co-sponsorship by the Lesbian/Gay Advisory Committee (with the Coalition on Human Rights) of an invitational meeting May 3, at the Valencia Rose Cafe, 766 Valencia Street, from 5:30 to 8:00pm

4. International Third World Gay and Lesbian People of Color Conference

A panel from the Lesbian/Gay Advisory Committee will head a discussion group to discuss its role-model procedures and functions as part of this event to be held at the University of California Berkeley, June 20 through 23. The Committee has endorsed the conference.

It was

*******m/s/c that the HRC approve participation in this conference.

NEW MATTERS

- Immigration and Naturalization Raids for Illegal Aliens.

- Commissioner Sevilla asked that there be referred to the Social Issues and Police Liaison Committee the issue of whether the publicized U.S. Immigration and Naturalization Service "raids" on places of employment looking for illegal aliens have an impact in the City and County of San Francisco.

He was informed that the Committee had heard at its most recent meeting from Fernando Cosio of the deep concerns (see Committee Report elsewhere in these Minutes) of Hispanic people about these raids.

It was noted that the San Jose City Council April 25 voted to condemn such raids, and to direct the San Jose Police Department not to assist the INS in its efforts.

- Mr. Romeo Andaya's Complaints About Safety in Visitacion Valley.

Commissioner Revelo introduced Mr. Andaya, who described to the HRC the incidents of violence suffered by himself, his wife, and his daughter, Mrs. Doni Ceballos, at the hands of assailants in the Visitacion Valley neighborhood. He called for the establishment of a Police station nearer his home in order for complaints to be made by local citizens.

It was noted that the complaints of Mrs. Ceballos, Mr. Ceballos' daughter, had been referred by Commissioner Revelo to the Social Issues and Police Liaison Committee in March, and that the Committee had asked Sgt. Edmund Pecinovsky to investigate. Sgt. Pecinovsky reported to the Committee April 18 that the captain of Potrero Station and the Police Community Relations unit had been in touch with Mrs. Ceballos, and that patrol frequency of the area concerned had been increased. This information also had been given Commissioner Revelo.

*******The HRC re-referred this issue to the Social Issues and Police Liaison Committee (noting, at Commissioner Weiner's suggestion, its deep shared concerns regarding the attacks described by Mr. Andaya) for followup.

- Commissioner Sevilla noted that the Office of Citizen Complaints had recently made a report of its work to the Police Commission, and asked that the Committee obtain a copy of it. Eugene Swann, Director of the OCC, had been a guest of the Committee at its March 20 meeting.

- Commissioner Yamakawa announced that the OCC is recruiting for minority attorneys for its staff.

- National Secretaries Week.

The HRC expressed its continuing gratitude for the skills and dedication of its staff of secretaries who are so invaluable to the production of its work. Red carnations were given to each secretary during the work week. The HRC stressed that its feelings of obligation to these staff people is continuous, not just restricted to one week.

CALENDAR MATTERS

- The next regular meeting of the HRC will Thursday, May 10, 1984 at 10 AM (to Noon) in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

- ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, May 3, 1984 9:30 AM 1860 Mission Street, Second Floor

STANDING COMMITTEES

LESBIAN/GAY ADVISORY	Tuesday, May 15, 1984 5:30 - 7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
HOUSING AND URBAN DEVELOPMENT	To be announced
SOCIAL ISSUES AND POLICE LIAISON	Tuesday, May 15, 1984 3 PM State Building, Room 1200 350 McAllister Street, Civic Center
YOUTH AND EDUCATION	Thursday, May 17, 1984 3:45 PM State Building, Room 1200 350 McAllister Street, Civic Center

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC: bclp
4/4/84

ATTACHMENT #1

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION REGARDING THE CREATION OF AN

OMBUDSMAN OFFICE FOR THE S.F.U.S.D.

WHEREAS, parents of children in San Francisco's public schools have addressed diverse complaints about personnel, instruction, physical contions, and other school services to the members and staff of Youth and Education Committee of the Human Rights Commission; and

WHEREAS, parents have expressed frustration and have reported that their efforts to address their concerns at the school site level too often have been unsatisfactory; and

WHEREAS, parents are frequently overwhelmed by the unresponsiveness and complexity of the present structure; and

WHEREAS, parents perceive procedural obstacles in expressing concerns and complaints to the Board of Education at regular meetings;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission strongly recommend the establishment of an Ombudsman office for the San Francisco Unified School District with the mandate to respond to parents' complaints and concerns fairly, expeditiously, productively, and in a manner consistent with employees' contractural rights and the State Education Code. It is further recommended that this office report regularly to the Superintendent of Schools and the Board of Education as to the status and disposition of such complaints. This office shall be staffed with individuals with experience in youth, family and community advocacy as well as in educational issues and problems. It shall also be the responsibility of this office to conduct effective and comprehensive outreach and publicity to make known its presence and services.

AND, BE IT FURTHER RESOLVED, that the Human Rights Commission by passage of this Resolution is prepared to work with the San Francisco Board of Education in obtaining funding from private sources.

##############################

Resolution 3-84

Adopted by the HRC 4/26/84

SF
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5/10/84

HUMAN RIGHTS COMMISSION

Minutes of the Meeting of Thursday, May 10, 1984

Third Floor Commission Room
Main Library, Civic Center

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NEXT MEETING

DATE: Thursday, May 24, 1984
TIME: 10 AM
PLACE: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee meetings.

ROLL CALL

Commissioners

Present: Brenda K. Wade (Presiding), Thomas Ambrogi, Samuel Chung, Phyllis Lyon, Joan Zamora Moulton, Nicerita Revelo, Richard Sevilla, Esta Soler, Rabbi Martin Weiner, David K. Yamakawa Jr.

Excused: Joe Jung, Corrine Lee, John Morrissey, George Suncin.

Staff:

Present: Grant S. Mickins, Bettye Burrell, Jack Casford, Stanley Lim, Richard Norton, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of April 26, 1984 approved with two corrections:

- Page 5, under Lesbian/Gay Advisory, paragraph 3, Monitoring of Public Sex in Gay Bathhouses Issue, fifth line; Commissioner Sevilla asked that the phrase, "...sexual activity by clients in Gay bathhouses" be replaced by, "...bathhouse regulations." The full sentence would read: "Subsequent to the debate in the City over the announced proposed official closure of Gay bathhouses as a means of AIDS control , the Lesbian/Gay Advisory Committee will co-sponsor, with the Coalition for Human Rights, an invitational meeting seeking input from representatives of a wide range of Lesbian and Gay organizations to set up guidelines for the monitoring of bathhouse regulations." (new wording underlined).

- Page 6, under New Matters, Mr. Romeo Andaya's Complaints About Safety in Visitacion Valley, Paragraph 2, line 1, should read, "It was noted that the complaints of Mrs. Ceballos, Mr. Andaya's (not Mr. Ceballos') daughter," ... (new wording underlined).

COMMUNICATIONS

- To Grant Mickins, HRC Director, John Walsh, General Manager of Personnel, George Agnost, City Attorney, and John Farrell, Controller, a Memorandum May 1 from Mayor Feinstein, announcing her formation of a Task Force of the above-named to analyze the implications of the Board of Supervisors' recently-established committee (of Supervisors and union representatives) to plan implementation of comparable worth (the concept of having pay based upon the comparable worth of jobs). The Mayor noted that Jim Lazarus and Margaret Kisliuk of her staff were delegated to work with the Task Force.

*****See action taken by the HRC on this Memorandum in the Lesbian/Gay Advisory Committee report section of these Minutes.

- From Donald Mckinley Clark, Founder and State Director, California Veterans Coalition, urged that Vietnam-era veterans and the generally handicapped be considered in the City's Minority/Women/Local Business Enterprise Utilization Ordinance (Chapter 12D).

- From Judith A. Boyajian, Deputy City Attorney, a copy (to Director Mickins, Clemente Newball-Obregón, HRC Affirmative Action Officer, and

Donald J. Garibaldi, Airport General Counsel) of a letter to Mr. John Bracklein, Personnel Officer, The Americas, Quantas Airways Limited, in San Francisco, citing, as Mr. Bracklein requested, the agreement between Quantas and the City and County of San Francisco for a lease at San Francisco International Airport providing for inclusion of Administrative Code Sections 12B.1, 12B.2, and 12B.4 and Chapter 12C requiring lessees to execute an annual affirmative action agreement with the HRC.

- From Roger Boas, Chief Administrative Officer, an April 20 Memorandum to all City department heads, announcing the publication of a newspaper, Civic Center Voice, to be distributed free monthly in the Civic Center Area beginning with a June, 1984 issue.

- From Stewart Weinberg, Van Bourg, Allen, Weinberg & Roger, informing Clemente Newball-Obregón, HRC Affirmative Action Officer, that Local 87 Service Employees International Union, shall have jurisdiction regarding World Service (at San Francisco International Airport) succeeding Local 77.

- From Marcy Morrison, News Public Affairs Director, thanking Director Mickins for agreeing to be interviewed on KEAR-FM radio in late April.

- From James H. Woods, Deputy City Attorney, to Director Mickins, enclosing a copy of an order continuing the trial in the case of Branaugh Excavating, Inc., against the City and County of San Francisco to May 21, 1984 (from February 14) and requesting that Mr. Mickins be available to testify on behalf of the City.

- From Mrs. Cora Mary Jackson (wife of Grandvel Jackson, a member of the first professional staff of the HRC in 1964), in reference to HRC - 20th Anniversary, a letter detailing the background historically of the formation of the HRC, and citing the work and vision of key members of the community such as the late R. Nathaniel Burbridge of the National Association for the Advancement of Colored People, Bill Bradley, of the Congress for Racial Equality, the late Mayor John F. Shelley, the Reverend (and former Commissioner) George Bedford, Attorney LeRoy Cannon, Revels Cayton and Earl Raab, along with Frank Quinn, the first HRC Director; Walter Scott, its first Employment Representative; Grandvel Jackson, Community Representative; Ruth Maguire, Administrative Assistant; and Edith Witt, Housing Representative.

DIRECTOR'S REPORT

- HRC Twentieth Anniversary Reception May 9

More than 350 persons attended a reception marking the twentieth anniversary year (the official Board of Supervisors action was July 20, 1964) of the Human Rights Commission on May 9, from 5 to 8 PM in the Green Room of the War Memorial Veterans Building in the Civic Center.

City officials, private citizens, human and civil rights workers, and former members of the HRC and members of its professional and clerical staff heard remarks from Earl Raab, Chairperson of the Friends of the HRC, which co-sponsored the event with the Council for Civic Unity, the civil-rights advocacy organization that was pivotal in the establishment of the HRC as a City department in 1964.

Frank Quinn, the first HRC Director, spoke on the dedication and courage of civic leaders and community people in the early days of the formation of the HRC after local demonstrations over discrimination in employment, housing, and education. Comments were also made by current HRC Chairperson Brenda Wade and by Director Mickins, and a number of formal commendations were presented on behalf of the Board of Supervisors, the Mayor's Office, Senator Milton Marks, and others.

William Becker, who succeeded Mr. Quinn as Director, was unable to be present.

Belva Davis, well-known area journalist, was the MC for the evening. The Reception Committee included, besides Mr. Raab, Jane Morrison, of KNBR-radio, and Beatrice Cardenas-Duncan, Donald Hesse, and Jack Casford, of the HRC staff. Mr. Mickins paid tribute to the hard work the latter three did in arranging all the details of such large event.

It was

*****that the HRC write to the Friends of the HRC and to the Council for Civic Unity (which merged with the Friends officially with this reception) commending and thanking them for honoring the HRC in its twentieth year with the impressive and memorable reception.

- Status Report - MBE/WBE Contracts Awarded and Potential Awards for the (Installation and Production of the) Democratic National Convention.

Director Mickins distributed copies of his Memorandum of May 8 (with the above title) to Mayor Feinstein and Chief Administrative Officer Boas, as had been requested. He noted that "This process is in a state of negotiation and review and is subject to daily modifications."

Frank Anderson and Richard G. Norton had submitted Memoranda to Mr. Mickins on, respectively, the dollar amount of MBE/WBE participation as of May 8, the MBE/WBE participation for production and temporary construction for the DNC; and the MBE/WBE participation and miscellaneous contracts with the Democratic National Convention Host Committee.

The Anderson report referred to the HRC goals of 16.5% of the base bid amount for MBEs, and 2% for WBEs. In the dollar amount goals, of the MBE general construction budget as of April 26 of $4,418,000 the goal would be $728,970; of the total cited, for WBEs, the goal would be $88,360 as of April 26, he noted.

As of May 8, a second Anderson report showed, one WBE had received a commitment/contract in the amount of $3,000. Six MBE firms had received subcontracts totaling $312,500. Mr. Mickins said that it was hoped that a WBE decorating firm would be granted a subcontract of approximately $100,000 (estimate by Jeffrey Lee, Director of the Department of Public Works). In addition, three MBE contracts, for construction, painting, and carpeting, in the total amount of approximately $502,280, were reported as potential commitment/contracts.

Director Mickins reported also that there is a City commitment to utilizing MBE/WBE firms in the demolition phase of the convention, in removal of installations, and restoration of the Moscone Center to its original condition. This would be an estimated $100,000 job.

He announced further that if a review of a bid by Integral Construction Corporation is approved, the $380,000 total would bring well over the MBE construction phase goal of $728,970.

To Commissioner Soler's inquiry about the addition of some $1.5 million by the City to the earlier figure of $4 million as the City expenditure on the convention, Mr. Mickins informed that MBE/WBE dollar-amount goals would likewise be increased, but not the percentile goals. From the additional City monies, however, the costs of Police services and the rental allocation ($325,000) would have to be deducted.

Mr. Mickins also reported on a meeting May 9 with the Mayor led by the Black Agenda Council, at which there were strong protests at indications that the prime contracting response to the HRC mandate was minimal.

To Commissioner Sevilla's request for more details on the convention contracting process vis à vis MBE/WBE participation, Mr. Mickins reiterated his earlier presentations on the breakdown of convention production emphasizing that in particular with the Democratic National Convention and Host Committee, "the HRC efforts to establish a Uniform Outreach Procedure had not been responded to with much success", despite requests

for submittal of lists of contracts to be let with dollar amounts as early as February. He noted that following the May 9 meeting the Mayor personally urged the Democratic (Party) National Convention Committee Representative to give to the HRC advance notice of contracts they intend to let.

Director Mickins also announced he had met with the Convention Committee regarding catering contracts, which will cover pre-convention activity beginning in June, as well as the convention itself for a week in July. He said that Roz Wyman, of the Convention Committee, has agreed to work out a plan to factor in ethnic catering firms for subcontracts under Facility Management Incorporated, the prime catering contractor.

Mr. Mickins stated that he was told that the large number of other City entertainments for delegates would be largely in private homes, with the hosts and hostesses paying for them. While they can be provided with lists of ethnic catering firms, they cannot be required to hire them as part of this program.

REPORT OF THE CHAIRPERSON

- Chairperson Wade expressed her thanks to all who contributed to preparing for and carring out the May 9 Twentieth Anniversary Reception.

STANDING COMMITTEES

ADMINISTRATIVE

Commissioner Joan Zamora Moulton, Chairperson

- Recommendation on Adoption of a Standardized Format for Staff Reports - Stanley Lim

Mr. Lim distributed copies of his narrative explanation of the recommended format, along with the HRC Policy on Racial and Ethnic Designations (adopted June 12, 1980), and, using at times a chart showing the different types of racial and ethnic designations currently in use, went through the details of it. He had prepared this document in response to a request at the HRC staff could follow as closely as possible a uniform format in presenting data in statistical form, in order for there to be consistency in the presentation of the material, for maximum understandability of what major problems are being raised that the HRC can then address."

The Administrative Committee, Mr. Lim reported, adopted the format for staff reports on April 26, 1984. It includes directions on a summary, the components of the body of any report, the use of standard ethnic identification in statistical breakdowns, plus staff recommendations on format and style of writing.

Mr. Lim said that staff concerns included:

1. That a standardized format could stifle creativity in compiling and presenting a report.

2. That there needed to be flexibility, as in reports whose form is mandated by a funding source, such as the federal government.

3. Use of Ethnic or Racial Identification tables, and the conflict between that listed alphabetically, or by population proportion statistically.

At the suggestion of Commissioner Soler, Co-Chairperson of the Employment Committee with Commissioner Lee (who was not present at this meeting), it was

*****m/s/c unanimously to ask each Standing Committee of the HRC within one a month to review and provide input on the proposed Standardized Format for Staff Reports before final HRC action.

SOCIAL ISSUES AND POLICE LIAISON

Commissioners John C. Morrissey and David K. Yamakawa Jr., Co-Chairpersons.

- Recommended Endorsement of Bay Area Women's Resource Center- Midge Wilson, Director, and Jeanne Comasky, head of the Tenderloin Childcare Center.

The Committee had announced at the HRC April 26 regular meeting that, after a presentation by Ms. Wilson and Ms. Comasky, it had endorsed a package of Senate Latchkey bills addressing childcare, and that it would be recommending endorsement of the Resource Center and its work at the May 10 meeting. The draft of a proposed Letter of Endorsement was provided members of the HRC in advance of this meeting.

Ms. Wilson briefly described the work of the Center, which was started in 1981, and which is located in the heart of the Tenderloin area of the City at 318 Leavenworth Street. It originally concentrated on providing services to women formerly in prisons or jails (many with dependent children) with referrals in housing, employment, childcare, legal assistance, medical services, and support groups. Most recently, the Center has expanded into organizing and advocating for solutions to general problems of low-income women in the Tenderloin, with neighborhood networking, public information, community education, arbitration, and program coordination. Most recently, concentration has been on childcare. Ms. Wilson then introduced Ms. Jeanne Comasky, Chairperson of the Tenderloin Childcare Task Force.

Ms. Comasky noted that with some 5,000 to 6,000 children now living in the Tenderloin, and with at present only one, 24-space (eight for infants) childcare facility, in the past six months the Task Force had brought together a community group of senior citizens, neighbors who are parents, and other concerned community people to demostrate and lobby for more such facilities. She noted that in the past ten years, and particularly with recent substantial numbers of Southeast Asian people becoming residents of the Tenderloin, the number of families and children has increased 250%.

Projects upcoming include the start of preparation of the first Tenderloin area park, at Ellis and Jones Streets, on May 21; completion of the Southeast Asian Center; a proposed Headstart Center; a proposed New College childcare facility; and opening of some facilities through the existing Hastings Law School childcare center, presently only for law students' children.

It was

*****m/s/c unanimously that the HRC give its formal endorsement to the Bay Area Women's Resource Center and its program. That endorsement letter is attached to these Minutes.

It was announced that the next meeting of the Social Issues and Police Liaison Committee will be Tuesday, May 15, in Room 1200 of the State Building, 350 McAllister, at 3PM. The Committee will continue its discussion of the complaints of Mr. Romeo Andaya and his daughter, Ms. Doni Ceballos, about street assaults in the Visitacion Valley neighborhood, and consider Commissioner Sevilla's inquiry about any possible San Francisco Police Department relationship to any possible Immigration and Naturalization Agency "illegal alien" raids in the City and County of San Francisco.

LESBIAN/GAY ADVISORY

Commissioners Phyllis Lyon, Richard Sevilla, Co-Chairpersons

- Committee Report - Commissioner Sevilla

The Lesbian/Gay Advisory Committee co-sponsored, with the coalition for Human Rights, an invitational meeting May 3 at the Valencia Rose Cafe, 766 Valencia Street, seeking input from representatives of a wide range of Lesbian and Gay organizations regarding alternatives to perceiv government intervention in the bathhouse aspect of AIDS control.

The purpose of the meeting, which drew a large representation, was fourfold: 1. To discuss the creation of community recommendations for sex establishment guidelines; 2. To define community and government roles; 3. To prepare a civil rights policy statement; and 4. To prepar contingency plans for the future.

A second meeting has been scheduled for May 24, at 5:30 PM, again at the Valencia Rose Cafe, 766 Valencia Street.

The focus of much of the meeting, Commissioner Sevilla said, was on individual and civil rights. He said he would be reporting in more detail on these meetings and their actions at a later date.

At this point, Commissioner Lyon, joined by Commissioner Soler, expressed surprise and dismay that the May 1 Memorandum from Mayor Feinstein to Director Mickins, naming him, with John Walsh, General Manager of Personnel, George Agnost, City Attorney, and John Farrell, Controller, as the Task Force on Comparable Worth does not include appointment of any women.

It was

*****m/s/c, unanimously, that the HRC write to Mayor Feinstein urging that she name women to this Task Force.

No New Matters

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, May 24, 1984, at 10 AM to 1 PM in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, May 24, 84 following the Regular HRC meeting, Knight's Restaurant
EMPLOYMENT	Thursday, June 7, 1984 9:30 AM 1860 Mission Street, Second Floor
LESBIAN/GAY ADVISORY	Tuesday, May 15, 1984 5:30 - 7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
HOUSING AND URBAN DEVELOPMENT	To be announced
SOCIAL ISSUES AND POLICE LIAISON	Tuesday, May 15, 1984 3:00 PM State Building, Room 1200 350 McAllister Street, Civic Center

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:ltn
5/16/84

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 16, 1984

Ms. Midge Wilson
Director
Bay Area Women's Resource Center
318 Leavenworth Street
San Francisco, CA 94102

Dear Ms. Wilson:

Based on your presentations and on discussions at the Social Issues Police Liaison Committee and the full HRC, the Human Rights Commission is pleased to endorse the Bay Area Women's Resource Center and its program of direct social services to low-income women and their families, largely in the Tenderloin area of San Francisco.

This action was taken formally by the HRC at its regular meeting May 10, 1984, on recommendation of the Social Issues and Police Liaison Committee, which earlier had endorsed a number of childcare bills in the State legislature, in line with your strong advocacy for expanded childcare facilities in the Tenderloin.

We commend you and your staff, and authorize you to refer to our endorsement in your advocacy and organizing work and in your seeking of private and public sector funding.

We wish to be kept current on your work, as well.

Sincerely,

Brenda K. Wade

Dr. Brenda K. Wade
Chairperson

BKW:JC:ltn

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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5/24/84

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, May 24, 1984
Third Floor, Commission Room
Main Library, Civic Center

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NEXT MEETING

DATE: Thursday, June 14, 1984
TIME: 10 AM to Noon
PLACE: Third FLoor, Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda K. Wade (presiding), Samuel Chung, Phyllis Lyon, John C. Morrissey, Nicerita Revelo, Richard Sevilla, Esta Soler, George Suncin, Rabbi Martin Weiner, David K. amakawa Jr.

Excused: Joe Jung, Corrine Lee, Joan Zamora Moulton, Esta Soler

Staff:

Present: Grant S. Mickins, Bettye Burrell, Beatrice Cardenas-Duncan, Jack Casford, Eileen Gillis, Richard Norton, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of May 10, 1984 approved.

COMMUNICATIONS

- From the Clerk of the Board of Supervisors, an Inter-Office Memorandum sent to each Supervisor and each department head May 15, announcing the Finance Committee schedule and deadlines on budget review.

- From the Clerk, also, a copy of the 1984-85 Budget Calendar showing that the Human Rights Commission budget review will be held by the Finance Committee (for the HRC and other Health and Community Services departments, such as the Department of Social Services, the Juvenile Court, the Commission on the Aging, etc.) on June 21, 1984 at 1:30 PM in the Board Hearing Room in City Hall, Room 228.

- From Leopoldo Villela Ph.D Publicity Chairman, Santa Helena Steering Committee, to Commissioner Moulton, announcing that the National Hispanic Leadership Summit will be meeting July 12 and 13 in both San Francisco and Santa Helena.

- From Joan Haskin, Health Programs Specialist, San Francisco Unified School District, a letter to Commissioner Rabbi Martin S. Weiner, with copies to two members of the HRC staff and others, endorsing the teacher's guide entitled "Demystifying Homosexuality", published by the Human Rights Foundation. See the presentation under the Youth & Education Committee report in these Minutes.

- From the Office of the City Attorney, formal notification of the filing of a claim by P & K Trucking against the HRC in the amount of $20 million, charging, among other points, "violation of rights" in the award of a trucking contract in connection with the Clean Water Program. This is a matter that has been in dispute for several years.

DIRECTOR'S REPORT

- Democratic National Convention Negotiations.

Director Mickins and members of his staff continue to meet several times

a wee k with the Mayor, the Chief Administrative Officer, and other officials regarding implementation of minority/women business (MBE/WBE) participation in contracting for installation and production of the convention.

Until approximately ten days ago, he said, the HRC had commitments for some $500,000 for MBEs, as reported in his May 8 Memorandum to the HRC on contracts awarded or anticipated. Some of those commitments, however, have since been withdrawn, in the approximate amount of $250,000. The HRC has again made outreach for MBE/WBE bids for this work, and at a meeting May 23, the Mayor directed the prime convention contractor (A & J Construction) to do everything possible to meet the MBE/WBE objectives.

The MBE construction participation goal has been raised from $728,970 to $963,000 as a result of the increased City funding of $1.5 million to the base bid of $4 million; the WBE goal increased from $88,360 to approximately $103,000.

An agreement has been worked out regarding the MBE/WBE catering participation. The HRC is soliciting proposals on behalf of FMI, the Moscone Convention Center management firm, and the Democratic National Committee to utilize four ethnic groups and WBE catering firms. The proposals state these firms will prepare, deliver, and supervise the distribution of their foods.

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES

LESBIAN/GAY ADVISORY
Commissioners Richard Sevilla and Phyllis Lyon, Co-Chairpersons

- Request for Acceptance of November 7 and 21, 1983 Public Hearing and Report, "Investigation into Employment and Hiring Practices of Lesbian/Gay Businesses, Specifically Regarding Race, Color, National Origin, and Ethnicity: Findings,Recommendations, and Support Documentation and adoption of recommendations." - Commissioner Lyon.

Commissioners were sent in advance individual copies of a 120 -page bound report, written principally by Jackie Winnow, Lesbian/Gay Community Liaison. The report, copies of which are available on request to the Lesbian/Gay Advisory staff at the HRC offices, contains four chapters: Racism and Homophobia: The Same Side of a Common Coin; Introduction to the Public Hearings; Key Issues (with excerpts from the public testimony and analysis of same); and Findings, Recommendations/Implementation, Monitoring. An Appendix contains workforce survey forms, identification of hearing speakers, statements of nondiscrimination policies, etc.

The hearings grew out of allegations, brought to the HRC through the Lesbian/Gay Advisory Committee and others, including Black and White Men Together-S.F., of discriminatory treatment in employment and hiring practices based on race, color, national origin, and ethnicity in Gay and Lesbian owned businesses against Lesbians and Gay men of color.

The report took more than five months to compile, and its preface pays tribute to some eight advocacy and business organizations in the Lesbian and Gay community.

Commissioner Lyon reported that the Golden Gate Business Association subsequently has held a workshop focusing on Affirmative Action and racism awareness for its membership, and that changes already have been noted in hiring practices, particularly in the Castro Street area.

She paid tribute also to Jackie Winnow's colleagues, Eileen Gillis, Maria Santiago, and Barbara Stratton, and to Gail Roberts for their part in conducting the hearings, and compiling the findings. She said that the report does show that institutionalized racism does exist in the Lesbian/Gay community as in the larger community.

Commissioner Morrissey said that he wished to express his thanks for having

been provided the report well in advance of the regular HRC meeting, that he was impressed by its style and the caliber of its presentation, and that he felt it was an example of the continuing trend of high-quality HRC staff reports that he has observed in recent years.

The Recommendations section of the report covers commitments to affirmative action principles and goals for business associations, individual businesses, political clubs and community groups, legal groups, Lesbian/Gay/Women's media, and the HRC. It calls for monitoring by business associations and independent businesses, and for the HRC to monitor the progress of commitment on a quarterly basis during the first year, and therafter on a yearly basis, as well as to conduct periodic follow-up studies to evaluate the effectiveness of the changes suggested.

- Verbatim copies of the Summary, Findings, Recommendations/Implementation, Monitoring from the text of the report are attached to these Minutes.

Other commendations for the work of Ms. Winnow and her colleagues were voiced by Chairperson Wade, Director Mickins and Commissioners Sevilla, Chung, and Yamakawa.

Commissioner Chung, noting that there appear to be relatively few minority ethnic groups or individuals publically identifying themselves with the Lesbian/Gay movement, suggested that the Lesbian/Gay Advisory Committee investigate this fact.

Commissioner Lyon stated that one of the recommendations, to ameliorate this problem was that Lesbian/Gay -owned businesses advertise in the ethnic minority press for job openings.

Commissioner Yamakawa noted that this report represented the first time that the HRC officially has addressed allegations of discrimination by members of one protected category against members of other protected categories (minorities). He said he felt this was a healthy trend, and an important step forward for the HRC in its continuing demonstration of sensitivity to community concerns of this nature.

With the addition of three words to one of the recommendatins for clarity on the suggestion of Chairperson Wade, it was

******m/s/c unanimously that the HRC accept the report "Investigation into Employment and Hiring Practices of Lesbian/Gay Businesses, Specifically Regarding Race, Color, National Origin, and Ethnicity: Findings, Recommendations, and Support Documentation and adopt its recommendations."

It was also

******m/s/c that Jackie Winnow be cited as principal author of the report.

- Request for Approval of Letter to Macy's re: Use of Sacred American Indian Objects in Store Display.

The letter draft addressed to Richard Champ, President of Macy's San Francisco store, objects to use of "Kachina" religious symbols, (small figures) in a display in the Macy's downtown San Francisco first floor men's department.

In the discussion of the original wording of this letter, of the feelings communicated by a representative of the American Indian Center to the L/GAC Committee about the use of the Kachina figures in the cited display, and of feelings in general about the commercial use of religious symbols of any kind in store displays, there was some changing of the working of the draft letter (suggested by Chairerson Wade). Commissioner Yamakawa noted that the HRC's action in this manner about a community concern is in keeping with its mandate to reduce intergroup tensions.

It was then

******m/s/c unanimously to approve the sending of a letter, as amended, over Chairperson Wade's signature to Richard Champ, President of Macy's in San Francisco protesting the use of the Kachinas in the first-floor men's department display and urging that the display be dismantled and an apology be made to the American Indian Community. The full text of this letter is attached to these Minutes.

- Request for Approval of Letter to L.M. Boyd, Sydicated Columnist in San Francisco Chronicle. Regarding "Grab Bag" Column of April 29, 1984.

Copies of the draft letter, which protests a comment in the "Grab Bag" syndicated column in the April 29, 1984 edition of the San Francisco Chronicle as follows: "Why do so many American Indians live on reservation land even though they don't have to? It's tax free." were provided the HRC.

It was, without discussion,

******m/s/c that the letter as drafted be sent over the signature of Chairperson Wade. The full text of the letter is attached to these Minutes.

- Report on Upcoming Assembly Bill 1 Meeting. Commissioner Sevilla.

Copies of a flyer announcing a June 3, 1984 meeting from 1 to 5 PM at the State Building Auditorium, 350 McAllister, San Francisco, to organize support for re-introduction of Assembly Bill 1 were distributed. This bill, which seeks to establish sexual orientation nondiscrimination as State policy, was vetoed by Governor Deukmejian earlier this year. The HRC has supported this and similar legislation for a number of years.

The June 3 meeting will bring together a statewide coalition, and will feature among speakersfrom the National Organization for Women and the office of Assemblyman Art Agnos (sponsor of AB 1), Jackie Winnow and Eileen Gillis, Lesbian/Gay staff members from the HRC.

Commissioner Yamakawacommented that in addition to the HRC's long-established support for the concept of AB 1, which mandates its active role in the statewide coalition, there is the issue of staff resources. He urged that the HRC be mindfulthat the deployment of staff resources is the purview of the Director in terms of priorities of work.

YOUTH AND EDUCATION
Commissioners Micerita Revelo and Rabbi Martin S. Weiner
Co-Chairpersons

- Request for Approval of "Demystifying Homosexuality: A Teaching Guide About Lesbians and Gay Men," by the Human Rights Foundation, Inc., a Resource Book for Teachers, Counselors, and Parents.(This request was in conjunction with the Lesbian/Gay Advisory Committee-Commissioner Weiner)

Commissioner Weiner noted that the HRC has on several occasions formally encouraged the Board of Education to enhance Family Life education by helping youth in the District be sensitized to the issue of Gay men and Lesbian women.

The Commissioner read in full the letter (see Communications section of these Minutes) from Joan Haskin, School District Health Programs Specialist, recommending use of the text "Demystifying Homoseuxality". She wrote, "Most classroom teachers of Family Life Education and Social Studies do not have a source of reliable information...I hope you will be able to make the guide available to those teachers in our district who wish to use it. I think it can be helpful in promoting the acceptance and understanding of many of those who live in our San Francisco community."

He noted also that Fred C. Leonard, a School District Administrator, who is a member of the Youth & Education Committee, had reported that this volume, in a previous form, has been used in the SFUSD, and that this is a new version.

- Commissioner Weiner said that the Committee wished to move that the HRC write the San Francisco Unified Shcool District encouraging that "Demystifying Homosexuality" become a resource for teachers in Family Life education.

Commissioner Morrissey said that he and his colleagues on the HRC had had no advance copy of the text, which is 175 pages long, and expressed his concern that they not be asked to approve or recommend it without studying it first.

Though moved (Weiner) and seconded (Lyon) that the text be recommended to the District by the HRC, after Commissioner Morrissey's comments,

Commissioner Weiner agreed to table the motion for two weeks, until the HRC's June 14 regular meeting, during which time Commissioners may avail themselves of the copies available at the HRC office.

Commissioner Weiner said that the members of the Committee had examined the text, and that they had heard a report from Ms. Haskin, and were aware that it had been used for a number of years in the SFUSD prior to the new addition. The preface states that a preliminary edition of the book was produced in 1980 with a grant from the Columbia Foundation.

Mr. R. Hunter Morey, Youth Education Coordinator of the Community United Against Violence, and Human Rights Foundation consultant, as well as one of the consultants who prepared the source book, was introduced. Mr. Morey noted that Commissioner Lyon had reviewed the new edition.

Commissioner Weiner circulated a copy of the Forward to the book, written by Wardell B. Pomeroy, Dean of the Institute for Advanced Study of Human Sexuality.

Beatrice Cardenas-Duncan, staff to the Youth & Education Committee, and Jackie Winnow, staff to the Lesbian/Gay Advisory Committee, announced that they had copies of the text in the HRC office for inspection.

NO NEW MATTERS

CALENDAR MATTERS

- The Administrative Committee meeting scheduled for this date following the regular HRC meeting was postponed.

- The next regular meeting of the HRC will be Thursday, June 14, 1984 at 10 AM in the Third Floor Commissioner Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday , June 7, 1984 3:30 AM 1860 Mission Street, Second Floor
Administrative	Thursday,June 14, 1984 Knights Restaurant-Golden Gate Avenue Following the regular HRC meeting June 14, 1984
Lesbian/Gay Advisory	Tuesday,June 19, 1984 5:30 -7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	To be announced

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:bclp

Attachment #1

SUMMARY

Due to allegations and reports of discrimination occurring in the hiring and employment practices of Lesbian and Gay-owned businesses, specifically regarding race, color, national origin, and ethnicity, public hearings were held on November 7 and 21, 1983. The Lesbian/Gay Advisory Committee of the Human Rights Commission had been discussing the issue for some time when it was approached by the Task Force on Racism at its meeting of August 25, 1983. From that meeting, the Committee decided to request that the Human Rights Commission hold public hearings to discern the extent of the allegations. The Human Rights Commission (HRC), at its meeting of September 15, 1983, unanimously agreed with the Committee.

The data base from which the hearings were held stemmed from two (2) bar surveys conducted by Black and White Men Together - S.F. (See Appendix for these surveys). In order to address the issue as a whole and believing that the problem went beyond employment by bars, the HRC extended its study to include those for-profit businesses owned by Lesbians and Gay men which serve as a social base for the diverse Lesbian/Gay community. The HRC determined that in order to serve its community, the workforce must be reflective of the community it serves. The businesses included as serving a social base were bars, restaurants, hotels, nightclubs/cabarets, bath houses, and gyms. Other businesses, in the areas of services, sales, and the professions were also included. The hearings were open to testimony from organizations, businesses, and individuals who might have experienced discrimination or who wished to speak about the issue. The hearings were not intended in any way to infer that discrimination

existed solely in the Lesbian/Gay community or that it was endemic to that community. Rather, the hearings were an attempt to air and mediate a problem that existed within the Lesbian/Gay community, which members of that community felt needed to be addressed. The Lesbian/Gay community could then stand as a role model for other communities to deal with their own intra-group discrimination issues.

Both written and oral testimony was solicited, analyzed and tabulated. Two hundred and seventy five (275) businesses and twenty five (25) organizations were personally invited to testify. Flyers were sent to approximately eight hundred (800) organizations and the media was contacted. There were twenty six (26) testifiers. Workforce survey forms were originally sent to two hundred and seventy five (275) businesses and six hundred (600) more sent to Golden Gate Business Association members. Twenty seven (27) workforce survey forms were returned in toto.

The hearings revealed that Lesbians and Gay people of color are proportionately under-represented in the workforce of Lesbian/Gay-owned businesses. Everyone who testified, whether business association, community organization, business, or individual, expressed this fact and stated that effective, long-term, and expeditious remedies needed to occur: how this should take place and individual responsibility differed.

While some public testimony indicated blatant discrimination, much of the racism occurred through institutionalized racism, a system of exclusion and differential treatment by whatever intent. Much of the hiring practices occurred through the "old boy/girl network." Business associations, while actively working on issues impacting on the quality of life for Lesbian/Gay people, have done little in the area of affirmative action and racism in the Lesbian/Gay community itself. By and large, the associations are voluntary. While both testifying business associations have

nondiscrimination policies for membership, they do not have educational programs on affirmative action, people of color on their boards, and one of them does not have a grievance committee. One business owner spoke of the fear of regulation, while another business person showed by example how he had implemented a brand of affirmative action, and another said he would like to do better but did not know how.

Individual people applying for jobs testified to either blatant discrimination or subtle dismissal. All expressed frustration at being made invisible and the outrage they felt at the discrimination in their own community. They sincerely wanted things to change but were tired of working in isolation and the fear of losing jobs. Some people reported that people were not present to testify due to that fear. Some talked of boycotts as the solution. Some community organizations talked about the work they were doing to outreach and network with people of color and in dealing with issues of racism. They all agreed that their organizations needed to do more to effect change.

It was demonstrated that the media played a large role in perpetuating the myth of the young, handsome, white man as the ideal Gay person. Few Lesbian/Gay newspapers employ people of color or deal with issues of racism or concerns of people of color.

Public testimony strongly supported the active participation of the Human Rights Commission and the Lesbian/Gay community working together to effect change through addressing racism and affirmative action head on and designing effective programs to ameliorate the unfair hiring and employment practices now occurring.

The Human Rights Commission proposes that the business associations not only incorporate nondiscrimination policies as criteria for membership, but support concepts of anti-racism and voluntary affirmative action,

present educational programs on such, work out master affirmative action agreements, set up grievance committees, build an employment applicant pool system, set a goal of 30% minority participation on their Boards, outreach to people of color, advertise only with responsible media, and reserve a newsletter column dealing with minority issues.

Individual businesses should either commit themselves to their association's program or if not belonging to a business association, commit themselves to a voluntary affirmative action program.

Political clubs and community groups should adopt a statement of nondiscrimination, recruit people of color into their organizations, address issues of racism, lobby and educate Lesbian/Gay business people about affirmative action and build an employment applicant pool for use by members and employers.

The media needs to hire people of color, include articles by and for people of color, not accept racist advertisements, reduce ad rates for businesses practicing affirmative action, and publish a yearly list of these businesses.

The Human Rights Commission commits itself to assisting in setting up affirmative action programs, employment applicant pools, and providing other technical assistance. It will prepare and disseminate outreach lists and keep a referral system of racism and affirmative action consultants. It will publicize the findings and recommendations of this report, as well as prepare informational pamphlets and write educational articles on affirmative action. The HRC will handle cases of race discrimination under Chapter 12A of the San Francisco Administrative Code through its Lesbian/Gay office if so asked. It will monitor the progress of commitment made and conduct a follow-up study. If no substantial cooperation is seen and no fundamental changes made, HRC may initiate a complaint with the Department of Fair Employment and Housing. Hopefully, though, through the

concerted and sincere efforts of the Lesbian/Gay community and the Human Rights Commission, positive, expeditious, and effective change can take place. Nothing less will do.

CHAPTER FOUR: FINDINGS, RECOMMENDATIONS/IMPLEMENTATION, MONITORING

1. Findings

The Human Rights Commission, having conducted public hearings on November 7 and 21, 1983 to study the hiring and employment practices of Lesbian/Gay businesses, specifically regarding race, color, national origin, and ethnicity, hereby submits its Findings:

1) That the institutionalized racism existing in the mainstream society also exists in the Lesbian/Gay community;

2) That Lesbian/Gay people of color are under-represented in the Lesbian/Gay business workforce;

3) That applicant pools and apprenticeship programs do not currently exist in the Lesbian/Gay business community to draw qualified applicants from the population;

4) That the hiring practices of Lesbian/Gay businesses are primarily accomplished through the system of an "old boy/girl network";

5) That voluntary affirmative action programs, by and large, are non-existent;

6) That Lesbian/Gay people of color and their allies fear reprisal in their attempts to address unfair employment practices regarding race, color, national origin, and ethnicity;

7) That business associations serving the Lesbian/Gay community have not encouraged minority participation, nor do they have the structures to deal with grievances, nor have they sought to remedy under-representation of Lesbian/Gay people of color in their member businesses;

8) That extensive education on racism and affirmative action and restructuring of business practices for Lesbian/Gay businesses needs to be undertaken;

9) That business associations serving the Lesbian/Gay community have been and continue to be sources of strength for Lesbian/Gay rights in other areas;

10) That Lesbian/Gay-oriented political clubs and community groups need to actively address the issues of racism and affirmative action in their own organizations and in the community-at large;

11) That Lesbian/Gay media do not currently have adequate representation of Lesbian/Gay reporters and staff of color, and issues of race and concerns of minority Lesbians and Gay men are not sufficiently addressed;

12) That Lesbian/Gay people of color feel frustrated at their invisibility and are at the edge of boycotting and taking other strong actions if the issues of racism and exclusionary hiring and employment practices are not addressed and ameliorated;

13) That the Human Rights Commission needs to actively work with the Lesbian/Gay business community, political and community organizations, and media to address, educate, and ameliorate the findings of unfair hiring and employment practices now occurring.

Recommendations/Implementation

Business Associations (Golden Gate Business Association, Tavern Guild, Eureka Valley Merchants Association, Folsom Street Merchants Association, Polk Street Merchants Association)

The Business Associations shall continue their good work in the Lesbian/Gay community by recognizing their responsibility and obligation to a community which supports them by:

1) Adopting policies, as a criteria for membership, against discrimination on the basis of race, religion, national origin, ethnicity, sex, age, sexual orientation, marital status, disability, or any ordinary non-work related criteria.

2) Supporting these recommendations and affirmative action by taking them to their membership with speedy vigor. Previous effective organizing has occurred regarding Anita Bryant, Coors beer, etc. As Phyllis Lyon has said, "It is time to do it for people."

3) The Boards of these organizations reserving as a minimum goal 30% minority participation.

4) Member businesses posting visible signs made up by their business associations to the effect that their business does not discriminate in employment and public accommodations (patronage) based on the above. (See 1 above)

5) Business associations sponsoring logos for display in windows: may be sold for funds for applicant pool.

6) Business associations holding workshops for member organizations on:

   a) racism - in a sensitive, honest environment.

   b) affirmative action programs.

7) Member businesses committing themselves to a master affirmative action program worked out between HRC and their business association. HRC staff and/or consultant will work with them to

effect this program and will help publicize their good work in the media. Various aspects of the program include:

a) how to do outreach - advertisements, media, people of color organizations/individuals, employment organizations, etc.

b) apprenticeship programs and on-the-job training

c) qualified applicants

d) the program itself

8) Business associations creating a bonding system for appropriate jobs.

9) Business associations urging businesses to advertise with Lesbian/Gay media that hire people of color and with Third World media and which print articles pertaining to people of color and are otherwise responsible to issues of anti-racism.

10) Business associations building an applicant pool for permanent, as well as temporary, employment. Not only list both people seeking employment and employers seeking applicants, but actively and expeditiously connect people. Let people/community know this applicant pool exists through advertising and outreach.

11) Advertising and outreaching about current affirmative action and nondiscrimination policies and procedures.

12) Having a newsletter column written by a person of color speaking to issues of race and employment. (This does not mean that only people of color should address race issues nor that that is the only thing they have to contribute). Use your newsletter to advertise openings and people needing jobs.

13) Business associations meeting with minority community organizations for further needs assessment and for follow-up evaluation meetings on a continuing basis.

14) Although the business associations are voluntary, they should have a donation drive set up for a part time position and supply funds to effect a comprehensive program.

15) Grievance committees within the business associations be set up to deal with complaints of discrimination with viable resolution techniques.

16) Complaints of discrimination can also be lodged with the Department of Fair Employment and Housing (DFEH). However, complaints of race discrimination will also be accepted by HRC, if the complainant so desires, under Chapter 12A of the Administrative Code for investigation, mediation and conciliation, and pursued by Lesbian/Gay staff. These complaints will be resolved by including complainants, respondent (business), and business association.

B. Individual Businesses - Either connected with a Business Association or Independent

Individual businesses shall commit themselves to the program of the business association as outlined above. If not belonging to a business association, the business shall commit itself to effecting affirmative action in the workplace, by:

1) Building an applicant pool of qualified people and apprenticeships to hire, regardless of race.

2) When a new position opens up in the business, actively outreaching to people of color, through the media, through employment organizations, through Lesbian/Gay minority organizations, and through usage of HRC materials.

3) Advertising with Lesbian/Gay media who hire people of color and who print articles pertaining to people of color and are otherwise responsible to issues of anti-racism. In

addition, advertising with people of color media that is non-Gay.

4) Developing detailed job descriptions for dissemination, which would include a nondiscrimination policy.

5) Implementing an affirmative action program.

6) Meeting with HRC staff for ideas, information, and implementation.

C. Political Clubs and Community Groups

Political clubs and community groups shall:

1) Adopt a statement of support for non-discrimination.

2) Actively recruit people of color into the organization/club, not simply for purposes of having these people, but to address their issues.

3) The Boards of Directors or Executive Committee reserve as a minimum goal 30% minority participation.

4) Make race discrimination a primary concern.

5) Address the issue of racism by:

a) holding continuing workshops on anti-racism

b) participating in anti-racist organizing efforts/forming coalitions with other groups

c) holding workshops on affirmative action

d) lobbying strenuously the Lesbian/Gay business community and Lesbian/Gay business members to effect voluntary affirmative action programs and fair employment practices

e) having a minority-issues related committee within their group.

6) Build an employment applicant pool and disseminate information to businesses.

D. Legal Groups

Legal groups shall:

1) Provide referrals to lawyers handling race discrimination cases.

2) Hold seminars and workshops on job rights.

E. Lesbian/Gay/Women's Media

Media shall:

1) Hire people of color.

2) Implement voluntary affirmative action programs.

3) Have articles depicting people of color and their concerns.

4) Not accept ads with regard to race.

5) Those businesses that practice affirmative action on an on-going basis should receive reduced rates.

6) Publish a yearly list of individual businesses in local media who subscribe to affirmative action practices.

F. Human Rights Commission

The Human Rights Commission shall:

1) Assist in setting up affirmative action programs and applicant pool systems.

2) Prepare lists and disseminate regarding:

   a) people of color/Third World organizations

   b) affirmative action and other technical consultants

   c) racism workshop leaders

   d) employment organizations

   e) non-discrimination policies and penalties of regulatory agencies, e.g. ABC, SBA, etc.

3) Publicize findings, recommendations, and helpful material.

4) Create informational pamphlets and articles.

5) Handle individual complaints of discrimination based on race under Chapter 12A, through the Lesbian/Gay Liaison office. In appropriate cases, refer to Department of Fair Employment and Housing (DFEH) if a matter cannot be resolved or is too difficult.

6) Meet with DFEH to establish linkage with Lesbian/Gay sensitive staff who will handle Gay business-related complaints.

7) Lend continued technical assistance to business associations, individual businesses, media, and political/community groups.

8) Hire a part-time staff person to coordinate and implement these recommendations.

9) If no substantial cooperation is seen and no fundamental changes undertaken, the HRC may initiate a complaint with the Department of Fair Employment and Housing and/or the other appropriate authorities, e.g. Alcohol Beverage Control Board.

Monitoring

A. Each business association shall commit itself to monitoring itself and member organizations on a quarterly basis the first year and then on a yearly basis thereafter. This information shall be reported to its membership, the Human Rights Commission, the Lesbian/Gay media, and people of color organizations.

B. Businesses not associated with a business association shall monitor its progress on a quarterly basis the first year and then on a yearly basis thereafter. This information shall be reported to the Human Rights Commission, the Lesbian/Gay media, and people of color organizations.

C. The Human Rights Commission shall monitor the progress of commitment on a quarterly basis during the first year; thereafter on a yearly basis and report the findings to the public sector, people of color organizations, the media, and businesses/organizations concerned.

D. The Human Rights Commission, either in cooperation with Black and White Men Together-SF, or independently, shall conduct periodic follow-up studies to evaluate the effectiveness of the changes suggested and report the findings to the public sector, the media, people of color organizations, and businesses concerned.

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 30, 1984

Mr. Richard Champ
President
Macy's
P.O. Box 7888
San Francisco, CA. 94120

Dear Mr. Champ:

It has been brought to the attention of the San Francisco Human Rights Commission that sacred American Indian religious symbols known as "Kachinas" are being used in a display in Macy's first floor men's department at Union Square. The American Indian community is quite upset about this, as Kachinas are only used in religious ceremony and each has its own ceremony. For these to be used in a store in this commercial manner is an offense to Native Americans.

The use of sacred objects of any people is a very delicate matter. We would appreciate your looking into this as quickly as possible. We feel having the display dismantled and an apology to the American Indianc community would be appropriate.

Thank you for your attention to this issue. We would be happy to assist you in any way possible.

Sincerely,

Brenda K. Wade, Ph.D
Chairperson

BKW:bclp

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

Attachment #4

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 30, 1984

Mr. L. M. Boyd
"The Grab Bag" columnist
S.F. Chronicle
901 Mission Street
San Francisco, CA. 94103

Dear Mr. Boyd:

The Human Rights Commission of San Francisco, at its regular meeting of May 24, 1984, decided to write to you concerning your Grab Bag column which appeared in the April 29th edition of the San Francisco Chronicle. In it the question is raised, "Why do so many American Indians live on reservation land even though they don't have to?" and you glibly replied, "It's tax free."

You cast aspersions and perpetuate prejudice faced by Native Americans by making it sound as if American Indians are taking something from the rest of the population when in fact they had all their land taken from them except for a couple of parcels. The few parcels of land, or reservations, are by and large wasteland. Native Americans living on a reservations most often live in poverty with poor health and nutrition care, poor education, and in a sometimes dangerous environment (e.g. uranium mining). Many Native Americans live on reservations because it is their right, their homeland and culture.

Humorous columns do not have to be written at the expense of any group of people. We hope you take what you write seriously enough to consider the impact of your words. Thank you.

Very truly yours,

Brenda K. Wade, Ph.D.
Chairperson

BKW:bclp

cc: Richard T. Thieriot
Editor and Publisher

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, June 14, 1984
Third Floor Commission Room
Main Library, Civic Center

DOCUMENTS DEPT.

JUN 27 1984

SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

DATE: Thursday, June 28, 1984
TIME: 10 AM to 1 PM
PLACE: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda Wade (presiding), Thomas Ambrogi, Samuel Chung, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton, Nicerita Revelo, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Joe Jung, Corrine Lee, George Suncin, Rabbi Martin S. Weiner.

Staff

Present: Grant S. Mickins, Bettye Burrell, Beatrice Cardenas-Duncan, Jack Casford, Bayard Fong, Sid Gloria, Stanley Lim, Richard Norton, Gail Roberts, Essie Thomas, Pansy Ponzio Waller, Jackie Winnow.

Eddie Baca, Intergroup Clearinghouse Director.

of Allegiance

Minutes of May 24, 1984 approved.

COMMUNICATIONS

- From Alfred D. Watts, Maryland Department of Transportation, regarding an MBE/EEO Conference to be held in Baltimore August 1-4, 1984. to be sponsored by the City of Baltimore, the Maryland Department of General Services, and others.

- From Galen Martin, President, International Association of Official Human Rights Agencies,an invitation to attend a special training program for Commissioners only, July 12, from 2 to 4 PM as part of IAOHRA's 36th Annual Conference being held July 8-12 in St. Louis.

- From Drucilla Stender Ramey, Chair, San Francisco Commission on the Status of Women, offering assistance in increasing participation of WBEs in the Democratic National Convention construction program being implemented by the HRC, saying, "...we are aware of substantial efforts on your (the HRC's) part to create opportunities for WBEs at the convention..."

- From Ms. Ramey, a copy of a second letter,to Mayor Feinstein, expressing the concern of the Commission on the Status of Women with the... "...apparently minimal participation of women-owned businesses in Convention contracts.." and requesting information on plans to increase participation of women in Convention contracting.

- From Edward Mercado, District Director, Equal Employment Opportunity Commission, New York (City) District Office, supporting the credentials of Mr. Charles Uribe, president of Integral Construction Corporation (ICC) and A.J. Contracting Corporation. A.J. Contracting Corporation is the prime contractor for construction of facilities for the Democratic National Convention in San Francisco.

- From Mayor Feinstein, a Memorandum to all Department Heads, asking for review of the contracts and contract extensions to be submitted for the 1984-85 Fiscal Year in light of the goals for MBE/WBE contracting and set asides under Chapter 12D, which takes effect August 10, 1984, after rules, regulations, and procedures are fully developed.

- From Mayor Feinstein, a Memorandum to all Department Heads, announcing the nomination process for the Public Managerial Excellence Awards presented annually by the Mayor's Fiscal Advisory Committee and the San Francisco Planning and Urban Research Association. This is the fifth year of this event, which this year will consist of a $1,000 Public Managerial Efficiency Award to the outstanding public manager in the City and County, and three $750 awards for Managerial Excellence, given by the Mayor's Fiscal Advisory Committee.

- From William S. Robinson, President, Towill, Inc. a civil engineering/surveying firm, confirming and elaborating on a discussion with Director Mickins on the concerns of his firm regarding implementation of Affirmative Action and MBE programs.

DIRECTOR'S REPORT

- California Association of Human Rights Organization (CAHRO) Annual Conference.

Director Mickins attended this conference in Pasadena May 31, June 1 and 2, at the Holiday Inn. Some 28 municipal and county human and civil rights organizations were represented. Many commissions are now seeking new and alternative approaches to affirmative action and equal opportunity problems and concerns whose solution methods are less well accepted presently, Mr. Mickins said. Many groups are heavily involved in intergroup tensions, including the increase in the amount of confrontation with youth gangs, particularly in southern California, with an emphasis on mediation and negotiation techniques.

The HRC, Mr. Mickins said, is one of the more "affluent" of the state's commissions in terms of the broad scope of its mandate and authority. He said his report on the HRC's functions and activities aroused great interest from conferees.

- Status Report-HRC Implementation of MBE/WBE participation for the Democratic National Convention (DNC).

The Director distributed copies of a written Status Report prepared by Frank Anderson of the HRC staff showing MBE/WBE participation for production and temporary construction for the DNC.

The report was in two parts: the nonconstruction components (nine items, totalling $2,023,477, which have no MBE/WBE participation); and the construction and installation of temporary facilities MBE/WBE commitments/contracts, totaling $974,500, or 20.7% of the total budgeted. The MBE goal is 16.5%. In addition, three unverified MBE/WBE commitments/contracts were listed, and one pending.

The construction contracts were for construction management, drywall work, painting, demolition, lumber supplies, carpeting, an outreach firm, and mechanical, structural, and specifications consultants (subcontractors to the prime architectural firm). Of the eight MBE/WBE construction contractors, six are City-based, and two from Oakland, Mr. Mickins said.

Mr. Mickins noted concern with the failure yet to obtain the goal (2%) for women-owned firms in the construction phase at the DNC, and with the Mayor's Office and others, is aware and is assisting in correcting this deficiency. He said a top DNC official had said that negotiations are under way for a $30,000 contract for the placement of several hundred flags at the convention by a woman-owned firn, which staff presently is chekcing for WBE eligibility. An interior decoration contract of approximately $100,000 is as yet uncommitted, and a search is being made

among women-owned businesses to find a qualifying bidder. These two contracts, if obtained by qualfied women-owned firms, would fulfill the percentage goal. If, however, Mr. Mickins said, the interior decoration contract cannot be by one women-owned firm, the HRC will press that a portion be subcontracted.

He said the Mayor has commended the work done by the HRC and its staff.

Mr. Mickins then read from a written Report on Job Site Visit to DNC Project, submitted by Stanley Lim of the HRC staff on June 12 after an on-site inspection at the Moscone Convention Center. Mr. Lim reported that there were some twenty contractors on the job, about half belonging to the A.J. and Zcon/ICC groups, and half to the television networks to construct anchor booths. Mr. Lim confirmed minority contractors by name that had either completed their work or have been offered work. In his summary, Mr. Lim said that it appears that A.J. is making an effort to live up to its commitment to use MBEs.

Due to come, said Mr. Mickins, are workforce reports broken down by hour, to show the participation by ethnic employees.

REPORT FROM THE CHAIRPERSON

- Standing Committee Goals and Objectives Statements.

The Chairperson asked each Standing Committee to prepare a Statement of Goals and Objectives, along with the issues and items it sees as its top priorities for the next year.

******At the suggestion of Commissioner Yamakawa, the deadline for preparation and submittal of these statements was set for September 1.

STANDING COMMITTEES

EMPLOYMENT
Commissioners Corrine Lee and Esta Soler, Co-Chairpersons

- Fisherman's Wharf Restaurant Workforce Survey for Calendar 1983-Sid Gloria, Contract Compliance Officer.

Commissioners were provided copies of the narrative and statistical report first heard at the Employment Committee. The report summarizes the history of HRC involvement with implementation of Affirmative Action with restaurants holding leases from the Port Commission at Fisherman's Wharf. The report does not cover the Pier 39 restaurants. Victoria Station and Waterfront restaurants are nonunion; all the rest (13) are unionized. The first workforce survey was done on twelve Wharf restaurants in 1970. At that time, the workforce combined of these surveyed firms had 282 minorities and 300 whites. Black workers comprised only 7.2% of the total minority workforce and 2.5% of the visible workforce. Visible positions were held by 116 minorities and 222 whites. There followed, after an Affirmative Action Agreement was signed between the HRC and twelve Wharf restaurants, periodic reports by staff on the HRC monitoring work. The 1973 survey showed substantial improvement from 1970, with increases in the minority proportion of the workforce and in minorities in visible jobs (1970-- 34.3 percent; 1972-- 38.2 percent).

However, after several years of signing annual Affirmative Action Agreements with the HRC, a group of restaurants filed suit (Alioto's Fish Company Ltd. et al.vs. the HRC) challenging jurisdiction over them for purposes of Affirmative Action and workforce reporting. The suit, filed first in 1977, was not resolved until early 1982, when the United States Supreme Court refused to hear an appeal by the Wharf restaurants to the California State Court of Appeal ruling of 1981 that the HRC does have jurisdiction for Affirmative Action with the Fisherman's Wharf restaurants.

The HRC resumed monitoring of the thirteen restaurants in Fiscal 1982-1983. Despite a slump in restaurant business and employment, the HRC survey at that time showed significant progress in the employment of minorities and women, which rose from 51% in 1978-81 to 67% in 1982-83, a 16% increase.

As of June, 1973, the thirteen restaurants, Mr. Gloria reported, had a total of 808 (male and female) employees in all job categories.

The minority breakdown:

Black	44	----	5.45%
Hispanic	96	----	11.88%
Asian (incl. Filipino)	392	----	48.51%
American Indian	7	----	.86%
Total	539	----	66.70%

Among Mr. Gloria's observations was a "noticeable change" in attitude towards HRC monitoring, on-site visits, requests for statistics, etc., and a positive and cooperative approach by restaurant managements. He noted also that Black workers, both male and female, still are under-represented in all job categories, and that their percentage has declined, as noted earlier, from 7.2% in 1970 to 5.45% in 1984.

Mr. Gloria stated also that the restaurants emphasize that their visible employees in particular must contribute to the "ambience" of the restaurant, and that they are trained inthe public relations aspect of their jobs as well as the technical skills of serving food.

The most visible jobs are held by food-servers (formerly called waiters and waitresses). Mr. Gloria referred to a job-category breakdown chart from the period December 31, 1983 through March 15, 1984 that showed that of the 166 total food-server positions, 26% were held by minority males and 8.2% by minority females. These jobs, he said, reportedly can produce $100 a day in salary and tips, and they therefore are the most sought-after in the restaurant workforces. He said that the rare availability of these jobs is attributed to the very slow attrition rate, in view of the high salaries possible.

The entry-level position for restaurant work is as a busser (formerly called bus boy), who is trained in-house in different job classifications, such as cook, bartender, host person, food-and cocktail-server .

Commissioner Morrissey was informed, on his inquiry, that the labor market availability is the standard by which participation is judged in restaurant work (based on the 1980 Census, and updated periodically with the Department of Employment).

- Commissioner Yamakawa suggested that the minority workforce of Pier 39 restaurants, not covered presently in the HRC survey, be compared with that of the 13 Fisherman's Wharf restaurants to see (since the Pier 39 restaurants came into being only recently, or since the 1975 HRC statistics) if the slow attrition claim for visible jobs is duplicated. Mr. Gloria said he felt that the Pier 39 restaurants would probably have similar minority workforce breakdown figures.

It was

******m/s/c that the HRC accept the Fisherman's Wharf Restaurant Workforce Survey.

- Mayor's Office of Community Development (MOCD)-Funded Construction Contracts for Year Ending December 31, 1983-by Pansy Ponzio Waller, Dick Norton, and Bettye A. Burrell, HRC Affirmative Action Officers.

Ms. Ponzio Waller gave the oral presentation on behalf of her colleagues and their overall supervisor , Stanley Lim. A total of 79 projects were monitored by this staff in 1983.

Commissioners were provided copies of this extensive annual report, which consisted of three pages of narrative discussion, and 25 pages of tables, showing the Mayor's Office of Community Development (MOCD) and the Mayor's Office of Housing and Economic Development (MOHED) projects monitored in calendar 1983 by MBE name, its ethnic identification, its location, the contract total amount, and percentage of the total

- a summary of MBE/WBE participation in MOCD projects monitored by the HRC for 1983 by total number,

total dollar contract amount, the local prime contract amount, and an ethnic breakdown by local MBEs/WBEs.

- a comparative analysis of MBE/WBE participation, showing that in 1983, total contracts awarded amounted to $8,791,828, down from 1982's $12,162,250, with the MBE percentage 41.1%, up from 1982's 36.3%; and the total WBE percentage 2.4%, up from 1982's 1.5% and

- employee participation on these projects showing breakdowns by craft and classification (eg. bricklayer, carpenter, carpet workers, etc) by total hours, and an ethnic breakdown, with cumulative minority/women worker hours also shown.

The HRC, Ms. Ponzio Waller, said, monitors all of the(MOCD) and (MOHED) contract of $10,000 and up awarded through the Department of Public Works, the Housing Development corporations, and other nonprofit agencies.

The basic MBE/WBE findings were as follows:

	Amount	% of Total Contract	% of MBE Amount Only	% of WBE Amount Only
Black	$ 390,171	4.4	10.8	
Hispanic	$ 781,672	8.9	21.6	
Amer. Ind/Als Nat	$ 30,000	0.3	0.8	
Asian/Pacific Islander	$ 2,406,512	27.4	66.6	
Filipino	$ 7,500	0.1	0.2	
WBE	$ 210,123			2.4

As indicated above, Black, Hispanic and Asian contractors are dominant groups, with the total award to MBEs amounting to 40.7% of a total 41.1%. Asian contractors now surpass Hispanic contractors as a group, receiving the highest amount of contracts awarded. The underrepresentation of the American Indian, Filipino and Women contracts was due to their limited availability, Although it is difficult to inspect the current MBE/WBE directories to determine the number of available American Indian. Filipino and Women contractors, fewer of these contractors than any of the above three larger groups were found. In order to compensate this some outreach services are stressed to help facilitate participation.

Though the dollar amount of contracts awarded in 1983 was less than in 1982, the percentage amount increased by 4.8% (from 36.3% to 41.1%). Asian contractor participation increased greatly, from 43.9% to 66.6%, attributed to a greater number of contracts being awarded by serveral of the Asian community Housing Development corporations. Black contractor participation declined from 21.9% in 82 to 10.8%, attributed largely to the fact, said Ms. Ponzio Waller, that Black contractors were not prime contractors for the large contracts, but mainly as subcontractors in amounts under $50,000. Hispanic contractors also declined to 21.6% from 33.5%. Women contractors increased their level of participation from 1.5% in 1982 to 2.4% in 1983. Ms. Ponzio Waller said that some form of outreach service is needed to facilitate greater participation by Black, Hispanic and Asian contractors as primes.

Some problems identified by staff during 1983 included:

1. Many contracts are under $50,000, generating few employment opportunities;

2. Projects are of short duration-usually less than three months;

3. The workforce remains usually three persons or less;

4. Ethnic balance is not maintained, and the level of women and apprentice participation is minimal or absent.

The lower level of women participation , she said, continues to be of concern to the staff, which continually attempts to provide information to various employment resource agencies in the community, such as Women in Apprenticeship.

Ms. Ponzio Waller said that the staff anticipated that in 1984 there will be a continuation of a larger number of contracts being awarded through the various components of OCD, with most of the major projects related to housing developments administered by MOHED, a separate unit from OCD. Six projects for "affordable housing" are in the offing and they will hopefully provide more opportunities for MBEs and WBEs and for minority and women employees.

In ensuing discussion of the verbal report, Commissioner Moulton brought up the issue of MOCD loans going to projects that convert residential, low-income housing to transient or tourist-oriented units.

******Director Mickins suggested that the Housing and Urban Development Committee be asked as well to look into these concerns.

- Commissioner Yamakawa then introduced the subject of OCD contracts going to nonprofit corporations, and urged that the HRC MBE/WBE regulations be written in a way that does not preclude its having jurisdiction over these contracts, though they are going to nonprofit corporations.

Commissioner Soler stated that this issue has been discussed at the Employment Committee.

It was then

******m/s/c to accept, with thanks for their splendid work to Pansy Ponzio Waller, Dick Norton, and Bettye Burrell, the Report on MOCD-funded Contracts for Year Ending December 31, 1984.Construction Contracts for Year ending December 31, 1983.

LESBIAN/GAY ADVISORY
Commissioners Richard Sevilla and Phyllis Lyon,Co-Chairpersons

- Requested Endorsement by the HRC of "Demystifying Homosexuality: A Teaching Guide About Lesbians and Gay Men," published by the Human Rights Foundation, Inc., for use by teachers as resource material, and requested HRC recommendation to the Board of Education that it approve the book for teacher use (action in conjunction with the Youth and Education Committee).

At the May 24, 1984 regular meeting of the HRC, the Youth and Education Committee had requested HRC approval of this text by writing a letter to the Board of Education encouraging that it become a resource for teachers in Family Life education. At that time, in view of Commissioner Morrissey's concern that the HRC not be asked to approve or recommend a 175-page-long text without studying it first, the HRC agreed to table the Committee-recommended action for two weeks, during which time the Commissioners could avail themselves of the copies at the HRC office.

Mr. R. Hunter Morey, Youth Education Coordinator of the Community United Against Violence, and a Human Rights Foundation consultant who worked on the source book, who had spoken briefly May 24, was asked to give a brief overview once again of this new, updated edition. Mr. Morey said it provided teachers with facts and information on homosexuality, as well as heterosexuality, to enable them, at the high-school level, to deal with student questions and discussions on these points. The text provides lesson plans, curriculum suggestions, a bibliography, sample questions, and answers, he said.

Commissioner Ambrogi urged that the HRC, if it took action on this request regarding the text, not "pretend to endorse the contents of the book." He urged that the suggested letter to the Board of Education state that the HRC would urge that the Board of Education approve it, but avoid saying the HRC endorsed its contents.

Mr. Morey said the Human Rights Foundation was in the process of raising funds at the present time to help make the text available to teachers who wish to avail themselves of it as a resource, and that its appearance before the HRC was to obtain broad community support.

Commissioner Morrissey commented that while he had no opportunity to study the text, he felt not competent to judge whether it is an excellent classroom tool. Commissioner Soler asked that Commissioner Lyon respond to this concern, and the latter said that many are not aware of the problem of finding adequate and authoritative texts for the teaching of alternative lifestyles to young people, and of the realities of Lesbian and Gay lifestyles to young people. She said the text in question has been the work of a number of recognized experts and teachers in sexology and that it is, in her opinion, one of the top pieces of its kind in the country today. She said the recommendation was simply in essence that the HRC urge the Board of Education to recommend that it be used by teachers.

The Commissioner also stressed that the HRC had in the past endorsed matters without being experts in the field.

Chairperson Wade said that she understood that the HRC was endorsing the concept of this kind of education in the schools, leaving it to the experts whether in fact if this text were the tool to be used in the School District.

letter that had been provided to the HRC for its action was then addressed by Commissioner Yamakawa, who said he hoped that there would be no divided vote on the motion to approve it.

He then suggested the addition of a clause reading, "Several committees of the HRC have reviewed this work and reported to us that it is an excellent classroom tool" and it was

*****m/s/c that a letter (full text of which is attached to these Minutes) be sent to the Superintendent of Schools, Dr. Robert F. Alioto, stating that the HRC recommends to the Board of Education that it approve "Demystifying Homosexuality: A Teaching Guide About Lesbians and Gay Men."

NEW MATTERS

- Eddie Baca, Director, Intergroup Clearinghouse.

Mr. Baca said that he wished to cite five concerns he had about Latino participation in the internal workings of the HRC, as follows:

1. He said that he had noted that there were no Latino staff or Commissioners or community representatives at meetings where the MBE/WBE Ordinance (Chapter 12D) was drafted. He urged that a Latino staff position be created for the outreach portion of the MBE/WBE implementation.

2. There is no Latino representation on the HRC's Employment Committee and relatively little on the other Standing Committees.

3. In Affirmative Action contracting, Latino representation is the lowest.

4. The HRC Housing and Urban Development Committee should be looking into displacement of Latinos in the Mission District by escalating rents, conversions, vacancy decontrol aftereffects, etc.

5. There is a need for an HRC staff position specifically to work on Latino issues.

***** Chairperson Wade asked that Mr. Baca forward his list of concerns to Director Mickins for referral and response on the specific requests and observations.

- Commissioner Moulton said that Mr. Baca had voiced issues that have been felt in her community for a long time. "In the Latino community," she said, "we feel we are at the bottom of the ladder." The Commissioner recommended that the HRC establish a separate Latino Committee as a Standing Committee.

- Chairperson Wade then set Wednesday, June 20, at 11 AM at the HRC Offices, as a meeting date for the Administrative Committee to meet with Latinos from staff and Commission, Mr. Baca, and Director Mickins to discuss planning to address Mr. Baca's concerns. Commissioner Sevilla, who said he could not meet at that time, was asked to provide suggestions prior to it.

REMARKS FROM THE AUDIENCE

- Korean Janitors Support Committee.

Ms. Helen Kang, with Ms. Jean Quan, members of the Committee, asked that the HRC take action on the complaint by Korean janitors who have lost their jobs at the San Francisco International Airport. The case dates back to a Director's Finding, issued April 13, 1983, that a discriminatory employment practice existed by American Airlines, Pacific Southwest Airlines, Western Airlines, and World Service Company. Janitors at that time were represented by Local 77-AFL/CIO. The Finding was followed by a filing of Notice of Appeal, and the union (Service Employees International Union-Local 77) law firm then resolved some of the issues with Western Airlines. After many legal maneuvers during 1983, Director Mickins announced to the HRC on January 12, 1984, at its regular meeting, that Local 77 had signed a collective bargaining agreement with another contractor at the Airport. By then, however, Local 87 had superceded Local 77 and claimed jurisdiction. Local 77, the original complainants, had withdrawn their call for HRC action, but the subsequent union, Local 87, sought to get the HRC to intervene.

At this meeting, Mmes. Quan and Kang urged strongly that the HRC resume its investigation in the case. Director Mickins stated that the City Attorney has under consideration the question of whether the HRC will have jurisdiction given the many changes that have taken place, including the change from one union local to another. The HRC, he said, cannot proceed until it is so advised by the City Attorney.

**** On the suggestion of Commissioner Yamakawa, full discussion of the request for HRC action from Mmes. Kang and Quan was set for the HRC agenda for its next regular meeting on Thursday, June 28, at 10 AM in the Third Floor Commission Room of the Main Library.

CALENDAR MATTERS

Employment	Thursday, July 5, 1984 9:30 AM 1860 Mission Street, Second Floor
Administrative	Wednesday, June 20, 1984 11 AM HRC Offices, 1095 Market, Room 501
Lesbian and Gay Advisory	Tuesday, June 19, 1984 5:30 - 7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	To be announced

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:blcp:ltn

Attachment

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

June 21, 1984

Dr. Robert F. Alioto
Superintendent
Board of Education
135 Van Ness Avenue
San Francisco, CA. 94102

Dear Superintendent Alioto:

The Human Rights Commission, at its meeting of June 14, 1984, decided to strongly recommend to the Board of Education that it approve the book Demystifying Homosexuality: A Teaching Guide About Lesbians and Gay Men, by the Human Rights Foundation, for use by teachers as resource material. Several committees of the HRC have reviewed this work and reported to us that it is an excellent classroom tool and would add greatly to the quality and continuity of the curriculum district-wide.

For too long, teachers have had to scramble around for information concerning homosexuality. Demystifying Homosexuality puts the subject in perspective by offering concrete answers and areas for discussion, whcih will lend to greater understanding and the elimination of myths and sterotypes about Lesbians and Gay men.

We urge your support for this important book. Thank you for your consideration.

Very truly yours,

Brenda K. Wade
Chairperson

BKW:JW:bclp

cc: Benjamin Tom, President
Board of Education

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, June 28, 1984
Commission Room, Main Library
Civic Center

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NEXT MEETING
Summer Schedule
One Meeting Each in July and August

DATE: Thursday, July 26, 1984
TIME: 9:00 AM to 1 PM
Place: Room 1200, First Floor
State Building, 350 McAllister

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda Wade (presiding), Samuel Chung, Joe Jung, Corrine Lee, Phyllis Lyon, Joan Zamora Moulton, Nicerita Revelo, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Thomas Ambrogi, John C. Morrissey, George Suncin, Rabbi Martin Weiner

Staff

Present: Grant S. Mickins, Jack Casford, Don Hesse, Ed Ilumin, Pansy Ponzio Waller, Essie Thomas, Mary Gin Starkweather.

Pledge of Allegiance

Minutes of June 14, 1984 approved.

COMMUNICATIONS

- From Mayor Dianne Feinstein, a copy of a letter (copies also to Robert Tecco, City Purchaser), to Tyree Jones, Kirschner Brush Manufacturing Co., Bronx, New York, informing she had forwarded his letter regarding consideration of his business for City purchases.

- From Mayor Feinstein, a copy of her letter to Evelyn R. Phillips, Administrator, The Workshop, informing that Director Mickins has been advised to inform on the progress in drafting procedures governing implementation of Chapter 12D, and that he had been asked to incorporate a directory listing of The Workshop.

- From Mayor Feinstein, a copy of her letter to Xavier Mean, Regional Director, U.S. Department of Commerce in San Francisco, informing she has forwarded to the HRC materials on the Minority Business Development Agency.

- From Jack M. Jordan, President, New York City Housing Patrolmen's Benevolent Association, Inc., a character reference for Charles Uribe, of A-J Contracting Corporation of New York City, the prime contractor for the Democratic National Convention installation activities.

- From Mayor Feinstein, informing Director Mickins of a change in the regular Monday morning staff meeting in her office at 9 AM while she was away June 18 at the Conference of Mayors in Philadelphia.

- From Mayor Feinstein, a copy of a letter to Mimi Murphy, The Junior League of San Francisco, Inc., thanking her for materials regarding the Community Dispute Services of the Junior League, and informing that Director Mickins has been asked to review them, and to provide information as well on the services of the Intergroup Clearinghouse and a network of neighborhood community boards, all working in the area of mediating disputes.

- From John L. Taylor, Clerk of the Board of Supervisors, a copy of the revised schedule on Finance Committee hearings on department budgets. Mr. Mickins announced at this meeting that he would be discussing the HRC budget that afternoon at 1:30 PM.

- From Ray King, Director, Parking Authority, a letter giving in detail the structure of the facilities, with the attorneys representing them, that the HRC is mandated to monitor for affirmative action. Mr. King asked that Mr. Mickins provide figures for the cost of monitoring, and noted that nonprofit corporations operating garages under leases from the City "...should be reimbursing you ..."

- From Anthony F. Pantoni, Brobeck, Phleger & Harrison, Attorneys at Law, copies of correspondence with Vincent Harrington, attorney for Local 77, regarding the contractual commitments of American Airlines with Lucky Service Company (also referred to in the attached documents variously as Lucky Service Co., and Lucky Services, Inc.,).

SPECIAL ORDER

2. Chronology & Status of Case 118-82, Complaint of Noncompliance by San Francisco International Airport janitors (Local 77, Service Employees International Union, AFL-CIO) v. American, Pacific Southwest, and Western Airlines and World Service Company.

Director Mickins emphasized that this presentation was not a hearing, but rather an updating on the status of Case 118-82, and he noted the inclusion in the Commissioners' meeting packets of a chronology of the key developments in the case prepared by Clemente Newball-Obregón, HRC Affirmative Action Officer assigned to San Francisco International Airport lease monitoring. Mr. Obregón's document listed the high points of development of the case beginning with the filing of the original Complaint of Non compliance on September 20, 1982, which led to an investigation completed on April 10, 1983, and the issuance of a Director's Finding, (April 14, 1983), against World Service, that "a discriminatory employment practice exists in violation of Chapter 12B.2 and Chapter 12B.4 of the Administrative Code." Mr. Mickins at that time (4/14/83) stated that he had stayed the Finding (which called for a daily penalty of $50 and possible two-year suspension of Respondents as "irresponsible bidders" for contract building rights) on condition there be a commitment from the Respondent airlines to correction of the discriminatory employment practices cited. Western Airlines on July 12, 1983, did submit documents that they were "attempting to" integrate their workforce and to pay prevailing wage rates.

Among the developments in the case through April, 1983, listed by Mr. Obregón, was the fact of the change in union jurisdiction from Local 77 (which filed the original Complaint and later dropped it) to Local 87 of the Service Employees International Union. Mr. Mickins stated that there remains the legal question of whether any group not a party to the original Complaint can be considered as a formal Complainant.

During the last half of 1983, the chronology shows, janitorial services were subcontracted out to three different firms, World Service, then Whitewood Oriental, then Lucky Maintenance, Inc.

Local 77 (the original Complainant) signed an agreement with Lucky Maintenance, Inc., in December of 1983, as did both American and Pacific Southwest Airlines, in the first six months of 1964. The final action in the case was the filing with the National Labor Relations Board of charges by Local 87 that Lucky is the "alter ego" of World Service.

Mr. Mickins said that the HRC has held a number of discussions with the City Attorney's Office on the question of its continuing jurisdiction in the case, including the question:

1. Whether a group not a party to the original Complaint (i.e., Local 87) can substitute itself in the place of the party (i.e., Local 77) that has withdrawn.

Further, the Director said, the HRC continues to be barred from jurisdiction in a case where a collective bargaining agreement exists, and he read in full the text from Chapter 12B.5.

The City Attorney's Office, Mr. Mickins said, is continuing to review this question, and its opinion should be forthcoming in about 30 days.

A number of members of the audience were recognized as being there as part of Korean and Asian community interests in the case, and Chairperson Wade then invited several of them to speak.

Jean Quan, a co-chairperson of the Korean Janitors Support Committee, who self-identified herself also as an organizer for Local 87, urged that the HRC take action on behalf of the Complainants, that is, the workers who remain the aggrieved parties despite the change in union jurisdiction from Local 77 to Local 87. She also charged that the contract with Local 77 for janitorial work through Lucky Maintenance, Inc., which no longer represents the janitorial workers, is not "valid." She also expressed misgivings that for this complicated case to be resolved through the federal relief systems would take many years. She insisted that the HRC does have jurisdiction to proceed with an investigation and action in the controversy.

Mr. Geoffrey Piller of the Asian Law Caucus reviewed point-by-point a Memorandum of June 28, 1984 distributed to the members of the Commission at this meeting, including as attachments the Rules and Regulations of Personal Conduct distributed by the Lucky Service Company, written only in English, on November 17, 1983, at which time Lucky was announced as the replacement subcontractor to Whitewood Oriental. Employees were required to sign the work rules. Of Lucky's 20 employees, 17 were Korean immigrants who could not read English. One subsequently was fired because he would not sign the rules. After that firing, Mr. Piller's Memorandum says, the work rules were translated into Korean and posted.

- Commissioner Yamakawa asked that each speaker state precisely what action it was requesting of the HRC.

Mr. Piller asked that the HRC consider the new aspects of the firings, etc. in continued involvement with the issue, and that it be aware that this is an ongoing problem.

- Commissioner Chung commented that the HRC clearly would have jurisdiction if racial discrimination were being charged, but that it does not have the power to mediate a union dispute, and that its areas of assistance were limited.

- Commissioner Moulton commented that at this point she felt the HRC needed to get more information, that it ask for independent legal advice (on its jurisdiction), and that the situation as outlined was an example of what might happen (to immigrant workers) in large sections of California if the Simpson-Mazzoli Bill (currently before a joint conference committee in the Congress) is passed.

Mr. Richard Leung, Business Representative of Local 87, reviewed union actions taken in this issue, calling the "alleged contract" between Lucky and the Janitorial workers (Local 77) "illegal" and a "facade for union-busting."

Mr. Leung also stated that all Korean janitors who had been organized under a union have been terminated by Lucky (a Korean-owned firm) and that they have been replaced largely by Latino workers, who, he said, are "easier to exploit."

Mr. Leung charged that there is racial discrimination against Korean workers, and reverse discrimination by a Korean employer against their own ethnics.

- Chairperson Wade then summarized the testimony from the preceding speakers as asking that the HRC use its investigatory powers to continue involvement in the abuses as charged regarding Korean janitors at the Airport, either on the grounds of the existence of discrimination or reverse discrimination, or of a group of workers being exploited or not protected by union contracts.

Ms. Helen Kang, of the Asian Law Caucus (who had distributed earlier copies of articles on the disputes in the San Francisco Examiner (April 14, 1983 and December 6, 1983), and East-West (October 19 and December 7, 1983, and April 18, 1984), as well as the materials referred to by Mr. Piller, then spoke.

Ms. Kang said that the HRC Director's Finding of April 14, 1983, had cited the sanctions available to the HRC under 12B.2, (g) and (h), respectively a $50 per day penalty for contractor in violation is an irresponsible bidder and ineligible for contract bidding rights. She noted that these sanctions had been stayed under the Finding, and she asked that the HRC both invoke its investigatory powers and impose the cited sanctions. She urged, in addition, that the members

of the HRC re-read the conditions of the Director's Finding of April 14, 1983.

- During ensuing discussion on these presentations and the HRC's response to them, led by Commissioner Yamakawa, it was
*****m/s/c that the HRC set its next regular meeting, Thursday, July 26, 1984, beginning at 9 AM in Room 1200 of the State Building, 350 McAllister Street, as a formal hearing on whether it has jurisdiction to proceed in the Complaint of Noncompliance brought originally by Local 77 (Korean janitors and others). It was agreed that the HRC would ask for independent legal counsel (at the suggestion of Commissioner Sevilla, joined by other Commissioners) on the case in addition to continuing to press the City Attorney's Office for the requested counsel and advice.

Director Mickins reminded the Commissioners that once the City Attorney has decided that the HRC does have jurisdiction under Chapter 12B, they become administrative law judges on appeal to the April 14, 1983 Finding. He said the the utilization of Chapter 12A, which was proposed orginally by Commissioner Yamakawa as the basis for holding a hearing at the regular meeting July 26, did not provide detailed sanctions except those of an advisory nature and the Commission would then be subject to disqualification for already having heard the matter.

SPECIAL ORDER
Skycaps Panel Decision Review

At this point, Commissioner Lyon convened a closed session of the Hearing Panel consisting of herself, and Commissioners Joe Jung, Corrine Lee, Joan Zamora Moulton, Richard Sevilla, Esta Soler, and Samuel Chung. Commissioner Morrissey was out of the City and Commissioner Suncin was absent.

The Panel considered its decision in the case of Willie L. (Bill) Williams et al. (Skycaps) and the Brotherhood of Railway and Airline Clerks (AFL-CIO) v. American, Delta and nine other airlines, and Allied Maintainance Corporation (at San Francisco International Airport).

Members of the audience, the Director, and staff then left the room for the approximately 15 minutes the Panel convened.

REGULAR AGENDA

DIRECTOR'S REPORT

- Democratic National Convention MBE/WBE Contracting Report

The HRC has exceeded the goals for MBE participation in contracting by attaining a figure of 21.7%. But its efforts to obtain WBE participation at a 2% minimum level have been subject to much resistance, the Director said. To the claim from the Convention management that they were unable to find qualified women-owned businesses to bid for the substantial decoration contract at Moscone Convention Center, the HRC first asked its outreach firm Homitz & Allen to concentrate on the assignment. Then, through the good offices of Commissioner Esta Soler, five or six experienced and qualified decorating firms were recruited and referred to the DNC management, all having been screened first by Homitz & Allen. As of June 22, however, none of these firms had been accepted for the job. Director Mickins said that the HRC has urged that in case the prime contract for decorating the Center does not go to a women-owned firm, that at least there be subcontracting to a WBE.

*** Commissioners Lyon and Soler reacted strongly to this report, and urged that a letter be written to Rosalind Wyman, Director, Democratic National Convention Committee, with copies to the Mayor, to Chief Administrative Officer Roger Boas and to Charles Manatt, Chairperson of the Democratic National Committee, expressing the concerns of the HRC at reports of resistance to hiring of women-owned contractors Commissioner Soler asked also why the HRC's own outreach firm had been unable to recruit decorating bidders who are women-owned.

A women-owned firm also has been recommended to provide and hang the large number of flags that will be draped in decoration.

Director Mickins reported that women-owned firms have obtained contracts to do catering at the Convention.

- HRC Budget 1984-85

At that afternoon's budget hearing before the Finance Committee, Director Mickins said he would be attempting to deal with denial, by City Budget Analyst Harvey Rose, of all the staff positions the HRC had sought, including two professionals to implement 12D, and an aide to the Office Manager (a management assistant).

- MBE/WBE/LBE Rules and Regulations

Department heads are beginning to react to the Second Draft copy of these Rules and Regulations. There is a deadline of August 10 on getting them written, approved by the HRC, and operative.

Mr. Mickins said he would be bringing them for HRC action to the regular July 26 meeting of the HRC. The Administrative Committee also will have its input and action on the Rules and Regulations.

STANDING COMMITTEES

Administrative
Vice-Chairperson Joan Zamora Moulton, Chairperson

- Presentation of Hispanic Community Concerns

A three-page written Summary of Minutes of the Administrative Committee Meeting of June 20, 1984 at the HRC was provided in the Commissioners' meeting packets. Eight Hispanic community spokespersons, plus Bea Duncan, Pansy Ponzio Waller, and Stanley Lim of the HRC staff, Eddie Baca of the Intergroup Clearinghouse, Commissioner Moulton, and Director Mickins had attended this meeting.

Commissioner Moulton announced that the document was for informational purposes only at this point, and that the discussion was still in Committee. She said the next regular meeting of the Administrative Committee would be in a week to ten days, a final date to be announced later.

- Commissioner Sevilla requested that he be provided with information on when and why the community liaison workers formerly on the staff of the HRC were discontinued.

NO REMARKS FROM THE AUDIENCE

CALENDAR MATTERS

Employment	Thursday, August 2, 1984 9:30 AM 1860 Mission Street, Second Floor
Administrative	To be announced
Lesbian and Gay Advisory	Thursday, June 28, 1984 5:30 - 7:30 PM State Building, Room 1200 350 McAllister Street, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	To be announced

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC;ltn

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

Minutes of the Meeting of Thursday, July 26, 1984
Room 1200, State Building, 350 McAllister

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NEXT MEETING

DATE: Thursday, August 9, 1984
TIME: 10 AM to 1 PM
PLACE: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda K.Wade (presiding), Samuel Chung, Joe Jung, Phyllis Lyon, John Morrissey, Nicerita Revelo, Richard Sevilla, George Suncin, Esta Soler, David K. Yamakama Jr.

Excused: Thomas Ambrogi, Corrine Lee, Joan Zamora Moulton, Rabbi Martin Weiner.

Staff:

Present: Grant S. Mickins, Bettye Burrell, Bea Cardenas-Duncan, Jack Casford, Don Hesse, Ed Ilumin, Stanley Lim, Clemente Newball-Obregón, Richard Norton, Pansy Ponzio Waller, Gail Roberts, Mary Gin Starkweather.

No Pledge of Allegiance due to lack of a Flag.

Minutes of June 28, 1984 approved. Clemente Newball-Obregón's name was inadvertently omitted from the listing the HRC staff present at that meeting.

COMMUNICATIONS

- From Robert Tecco, Director of Purchasing and Services, a Memorandum transmitting a copy of a Financial Assistance Award entitled, "City of San Francisco Local Government Project" in the amount of $100,000 (plus $33,334 contributed by the City) for one year, for Minority Business Development activities. Gail Roberts of the HRC staff drafted the Proposal and assisted in obtaining approval of the project. The proposal to the U.S. Department of Commerce Minority Business Development Agency was submitted February 28, 1984.

- From Richard R. Champ, President, Chief Operating Officer, Macys California, responding to a letter from the HRC following its discussion of community concerns (expressed through the Lesbian/Gay Advisory Committee) at the HRC regular meeting of May 24, 1984 about the use of Kachina figures in decorative displays at the Macys downtown retail store. The letter stated that the Kachinas are religious symbols, that the display should be dismantled, and an apology made to the American Indian community. Mr. Champ wrote that Macys shares concerns about the exploitation of sacred American Indian symbols, that the exhibit referred to "... was created with the greatest amount of sanctity and respect for the American Indian culture," that the Vice President and Visual Merchandising Director of Macys California is of American Indian ancestry and his wife a fullblooded Cherokee Indian, that the Macys Kachinas replicas were not for sale, and that Macys was surprised at the HRC displeasure because they had received favorable reaction to the exhibit from the American Indian community. He closed by saying, "Macys apologizes to those who might be offended by it."

- From Mayor Dianne Feinstein, a copy of a letter to John L. Taylor, Clerk of the Board of Supervisors, responding to his letter regarding Finance Committee questions on implementation of the MBE/WBE Ordinance, and explaining the three new positions (2992, Employment Contract Compliance Officer I; 2996 Representative; and 1424 Clerk Typist) in the HRC budget to carry out implementation.

- From Stan Hadden, of the office of State Senator David Roberti, President Pro Tempore of the State Senate, to Commissioner Lyon, materials regarding the Assembly Bill 1 Documentation Project, established to provide a statewide clearinghouse for information to reinforce efforts in another Legislative Session to reintroduce Assembly Bill 1, the sexual orientation nondiscrimination bill that Governor Deukmejian vetoed this Spring.

- To Jeffrey Lee, Director, Department of Public Works, (with copies to Mayor Feinstein, The Chief Administrative Officer, the Democratic National Convention Chief Executive Officer, and the Vice President of A-J Contracting of California, the prime contractor at the Democratic National Convention project), from Chairperson Wade, notifying of the HRC's unanimous vote at its regular meeting June 28, 84, to express formally its grave concerns regarding the apparently minimal participation of women-owned businesses in the City's financed Convention contracts.

- From Rosalind Wyman Chair and Chief Executive Officer, 1984 Democratic National Convention Committee, Inc., informing on efforts to contact women-owned interior decorating firms for the decoration contract at the Moscone Convention Center. Attached with this letter also was a Memorandum from Ms. Wyman to the Mayor and Roger Boas, the Chief Administrative Officer, with a copy to Mr. Mickins, on, "Minority Participation in Democratic Convention," listing the six local minority-owned security firms participating prior to and during the convention.

- To Judith Boyajian, Deputy City Attorney, from Director Mickins, requesting, as the HRC designated him to do at its regular meeting of June 28, 1984, an opinion on the question: "Does the Commission still have jurisdiction to proceed in the Complaint of Noncompliance brought originally (to it) by Local 77?"

- To Charles Perkel (Service Employees International Union Local 77) AFL-CIO, from Director Mickins, notifying him of the July 26, 1984 HRC hearing on the jurisdictional issue relative to Case 118-82, Complaint of Noncompliance and the Director's Finding.

- From John L. Taylor, Clerk of the Board of Supervisors, with copies to the City Attorney and Civil Service Commission, asking, at the initiative of Supervisor Carol Ruth Silver, for investigation of the alleged policy of the Department of Electricity of excluding women telephone operators from the promotional opportunity of fire alarm dispatch operator.

- From Anthony L. Gray, Vice President, Precision Transport Co., Inc., to Director Mickins, a copy of a letter to Benson I. Hattem, Affirmative Action Officer, San Francisco Redevelopment Agency, commenting on the agency's draft publication, "Directory of Minority Truckers."

SPECIAL ORDER

HRC Hearing on the issue of Jurisdiction to Proceed in the matter of the Director's Finding, (issued April 14, 1983) in Case 118-82 Pursuant to a Complaint of Noncompliance in Re:

Charles Perkel, Secretary-Treasurer & Business Manager of Service Employees International Union (SEUI, Local 77--AFL-CIO) and, in a representative capacity, of all formerly-employed or potentially employable members providing Janitorial and other related services at the San Francisco International Airport.

Complainants

vs

American Airlines, Pacific Southwest Airlines, Western Airlines

and

World Services, Inc.
dba
World Services Company

Respondents

- Attorney for American Airlines----Anthony Pantoni, of Brobeck, Phleger &

Attorney for Pacific Southwest Airlines----James Fox, of Merserve, Mumpers, and Hughes.

Attorney for HRC----Deputy City Attorney Judith Boyajian

Attorney for Asian Law Caucus, Inc.----Geoff Piller
Attorney for Asian Law Caucus, Inc.,----Dennis W. Hayaski

Attorney for Local 87----Stewart Weinberg, of Van Bourg, Allen, Weinberg and Roger.

Bong Hwan Kim, Executive Director, Korean Community Center of the East Bay
Helen Kang, of Asian Law Caucus, Translator for Jung Je Py, witness, former janitor employed by World Services, Inc. Helen Kim, Korean Resource Center. Korean community men, women, and children also in the audience.

A Court Reporter, Ms. Liz Carter of Lowell E. Torno Court Reporters, recorded the full Special Order Hearing proceedings, which are not covered in these minutes.

The Hearing convened at 9:24 AM and, with two short recesses, closed at 10:50 AM, at which time the HRC went into Executive Session, to draft a written decision.

At 11:50 AM the Executive Session was ended and the Regular Meeting Agenda commenced.

At the beginning of HRC Meeting, Chairperson Wade announced that the Panel had ruled that it does have continuing jurisdiction in the Complaint of Non-compliance Case 118-82, that an appeal hearing will be scheduled in from 45 to 60 days from this date, and that all parties would be notified in writing of this matter.

DIRECTOR'S REPORT

- Democratic National Convention Postscript.

The Mayor's Office and others have praised the HRC and its staff for its hard work and proved achievements in implementing minority and women owned business enterprise and employment participation in the preparation for and operation of the 1984 Democratic National Convention at Moscone Convention Center.

Frank Anderson, of the HRC staff, is compiling and writing the full report that will be provided the Mayor. The HRC experience will, Mr. Mickins said, no doubt be used a model for future convention planning.

- Rules and Regulation for MBE/WBE/LBE Ordinance.

A fifth draft of these Rules and Regulations, which were designated to be published within 120 days from passage April 9, 1984, has been completed. HRC staff has met many times for input from department heads, community groups, awarding agencies, etc. This document will be ready for the next meeting of the Administrative Committee.

- HRC Budget.

Three positions, two professional and one clerical have been included for the HRC's work in implementing the MBE/WBE/LBE ordinance in the City budget approved for final Board of Supervisors action.

- HRC Annual Report for 1982-1983(Fiscal 1982)

This bound, 95-page, illustrated report is now being distributed. Commissioner Morrissey stated his praise for the use of photographic illustrations.

REPORT FROM THE CHAIRPERSON

- Macys California Reponse to Concerns about Kachinas in Displays.

Chairperson Wade summarized the response of Mr. Champ (see Communications section of these Minutes) to the HRC's expression of concern about use of displays based on American Indian religious symbols (Kachinas) in Macys California downtown retail store.

- Commissioner Morrissey said that he felt that the issue illustrated a lesson for the HRC, that is, to "..jump on the presentation from one group without first determining what the other position is on the other side."

Commissioner Lyon noted that the HRC does have a policy adopted some years back requiring that the HRC "listen to both sides."

STANDING COMMITTEES

ADMINISTRATIVE

Commissioner Joan Zamora Moulton, Chairperson

- Revised (HRC) Fee Scheduled Proposal for Construction Contracts-Stanley Lim, HRC Coordinator./

Mr. Lim had first been asked to make recommendations for changes in a proposed fee schedule for HRC services to awarding agencies for contract compliance work in February of 1984. The City Attorney had ruled in 1981 that the HRC legally could assess fees for services. Mr. Lim's March, 1984 presentation of his first draft of the schedule drew several Commissioner concerns, and he was asked to re-examine it and solicit staff input.

The Revised Fee Schedule Proposal consists of three pages of introduction, background, precedents and methodology in calculating costs, the compliance staff's time and task study, staff salary cost, the explanation of the fee schedule itself, estimated revenues the schedule would produce, and a conclusion and recommendation that the HRC approve the proposal and direct the City Attorney to draft an ordinance and submit it to the Board of Supervisors.

The proposal also attached three tables (Contract Compliance Time Study; Personnel Cost Study; and Fee Schedule Applicable to Construction Contracts) plus an example of the a fee schedule ordinance, in use by the Department of City Planning. The Fee Schedule Cost Study shows, in twelve columns, by size of contract (eg. up to $1 million, between $1 million and $6 million, etc), the cost for staff services. The Fee Schedule Applicable to Construction Contracts begins with contracts in base bid amounts of between $15,000 to $30,000, up to $175,000,001 or more and shows the fee in dollars, eg. for contracts between $800,001 and $1,000,000, a fee of $2,200 will be assessed.

After an explanation in detail by Mr. Lim of the response to previously-expressed Commissioner concerns on several points, it was
*****m/s/c that the HRC approve the Revised Fee Schedule Proposal for Construction Contracts.

LESBIAN/GAY ADVISORY COMMITTEE
Commissioner Phyllis Lyon and Richard Sevilla, Co-Chairpersons

- Request for Approval of Letter to Governor Joseph Brennan of Maine, Regarding the Murder of Charles Howard. - Commissioner Sevilla.

Copies of the draft of this letter were provided in the meeting packets for Commissioners, with copies as well of newspaper articles in the San Francisco Chronicle, and Gay Community News (July 21, 1984) recounting the murder, by three teen-aged males, on July 7, in Bangor, Maine, of Charles Howard, who was assaulted and thrown from a bridge. Howard had just left a Gay support group, called Interweave, sponsored by the Bangor Unitarian Church. The HRC letter requested details on the cause and actions taken by the authorities, and asked the Governor to repudiate

the action taken to release the three accused.

Commissioner Sevilla said that the purpose of the letter to the Governor of Maine, and the additional letter (see below) to the Executive Director of the Commission on Judicial Disabilities and Tenure in Washington, D.C., was primarily investigative. He said that in the future the HRC would most likely be asked to be a spokesperson on issues like those addressed in communities where there are perhaps no mandated protections and nondiscrimination such as exist in San Francisco. Although he said the Committee knew that it had no authority outside its jurisdiction regarding the two incidents, it wished to learn more of the facts about them.

The second letter, mentioned at this point by Commissioner Sevilla, was a draft document addressed to Ms. Cathaee Hudgins (with copies to Washington, D.C. Mayor Marion Berry, and Superior Court Judge Nicholas Nuzio) regarding remarks attributed, in an article in The Advocate July 10, 1984, to Judge Nuzio at the time of his sentencing of two young men convicted of a brutal assault on a Gay man. The draft HRC letter from the Committee requested more detailed information on the case, and urged that Ms. Hudgins investigate the performance of Judge Nuzio.

- Commissioner Morrissey had two comments:

1. Is it necessary that the Lesbian/Gay Advisory Committee obtain the approval of the full HRC for sending the two letters, in lieu of sending them as a Committee?

2. Is this, like many others matters that take place in other states or other countries, not beyond the jurisdiction of the HRC?

Commissioner Sevilla stated that as far as he is concerned, the HRC is committed to the protection of the rights of Gay people, and he joined with Commissioner Lyon in the position that when outrages against Gay people occur in other communities this affects local attitudes.

Chairperson Wade stated what that when issues of this nature do occur in other parts of the U.S., it does serve a purpose to let, for example, Governor Brennan of Maine know there is national attention focused on the incident in question, and that people are looking for a resolution that is going to remove the discrimination that made this kind of murder possible. "I do think it affects us here in San Francisco. I really do," she said.

After some further comments, it was

*****m/s/c that the HRC approve the sending of the letters to, respectively, Governor Joseph Brennan of Maine, and Ms. Cathaee Hudgins, Executive Director, Commission on Judicial Disabilities and Tenure, Washington, D.C.

- Committee Report - Commissioner Sevilla.

1. At its June 28, 1984 regular meeting the Committee discussed:

   - its priorities for 1984-1985
   - the draft of a formal Resolution it will bring to the HRC's August 9 regular meeting on the AIDS/Bathhouses issue.
   - the Democratic National Convention.
   - the filing of a sexual orientation complaint with the HRC by Scott Smith, removed from his volunteer post with the Mississippi delegation to the Democratic Convention.

YOUTH AND EDUCATION

Commissioner Nicerita Revelo, Rabbi Martin S. Meiner, Co-Chairpersons

- Committee Report: Beatrice Cardenas-Duncan

In the August meeting of the Committee there will be discussion on:

Committee goals and objectives for 1984-1985.

-the Consent Decree

-the continuing interest on the part of members of the Board of Education in the creation of an office of ombudsman at the Unified School District.

NO NEW MATTERS

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, August 9, 1984 (the only meeting in August), at 10 AM in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Administrative	Human Rights Commission, 1095 Market St. Room 509, at 11:00 AM
Employment	Thursday, August 2, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian and Gay Advisory	Tuesday, August 21, 1984 5 to 8 PM Room 1200, State Building 350 McAllister, Civic Center
Housing and Urban Development	To be announced.
Social Issues and Police Liaison	Wednesday, August 15, 1984 3 PM Human Rights Commission, 1095 Market St. Room 509

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:ltn
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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, August 9, 1984
Commission Room, Main Library

DOCUMENTS DEPT.
AUG 2 1 1984
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING
DATE: Thursday, September 13, 1984
TIME: 10:15 AM
PLACE: Third Floor, Commission Room
Main Library, Civic Center

NOTE
See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Samuel Chung, Joe Jung, Corrine Lee, Nicerita Revelo, Richard Sevilla, Esta Soler, George Suncin, David K. Yamakawa.

- Chairperson Wade was in a minor automobile accident just before the regular meeting started and was unable to attend.

- Commissioner Sevilla announced at the end of the meeting that he has resigned effective Spetember 1, 1984. He is moving to Long Beach.

- It was announced that the Mayor has appointed, as of July 30, 1984, Lawrence B. Martin, International Representative, Transport Workers Union of America, to replace the late Commissioner Robert Edwards, who died in September, 1983.

Excused: John C. Morrissey, Joan Zamora Moulton, Brenda Wade, Rabbi Martin S. Weiner.

Staff

Present: Grant S. Mickins, Bettye Burrell, Beatrice Cardenas-Duncan, Jack Casford, Eileen Gillis, Linell Harden, Don Hesse, Ed Ilumin, Stanley Lim, CLemente Newball-Obregón, Richard Norton, Pansy Ponzio Waller, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Julie Yim.

Pledge of Allegiance

Minutes of July 26, 1984 approved.

COMMUNICATIONS

- From L.A. Turpen (Director of Airports) via Jason G. Yuen, Administrator, Planning & Construction, commenting on the HRC's proposed Rules and Regulations for the implementation of Ordinance 139-84, Chapter 12D, of the Administrative Code Minority/Women/Local Business Enterprises, to be effective August 10,1984.

- From Paul H. Melbostad, Law Offices of Thomas E. Horn, requesting a two-week extension of time for the Host Committee (of the Democratic National Convention) to respond to charges made by Scott Smith in a complaint of sexual orientation discrimination filed with the HRC recently. Mr. Horn, counsel for the Committee, was on vacation until August 6, 1984.

- From R. Barry Churton, of Cooper White & Cooper, representing Quantas Airways, Ltd., advising the HRC (letter addressed to Contract Compliance Representative Clemente Newball-Obregon) that Quantas declines to sign an Affirmative Action Agreement as proposed by the HRC in April of 1984. Mr. Churton wrote, "The provisions of the agreement which are particularly objectionable to Quantas are the minority and female goals established for both employment and minority business set-aside....no authority exists which sanctions the Commission's demands in this regard."

- From James H. Fox, for Reserve, Mumper & Hughes, on behalf of Pacific Southwest Airlines ("PSA"), commenting on the Special Order hearing (on HRC case 118-82, a Director's Finding of Noncompliance, April 14, 1983)before the HRC at its regular meeting of July 26, 1984, Mr. Fox stated for his client that at the present time, because of a number of reasons having to do with sub-contracting for janitorial services to Lucky Services, PSA saw no basis on which the HRC could assert that it has violated Chapter 12B prior to a finding by the HRC that Lucky Services (which supplanted World Services as subcontractor) is in violation.

- From Ray King, Director, San Francisco Parking Authority, delineating the special problems the Parking Authority sees in meeting the requirements of the Minority/Women/Local Business Enterprise Ordinance.

- From Charles Perkel, Secretary-Treasurer/Business Manager, Service Employees Union, Local No. 77 AFL-CIO), stating that Local 77 at the present time is not interested in pursuing any charges against American Airlines.

- From Mayor Feinstein, anncuncement of her appointment of Lawrence B. Martin, International Representative, Transport Workers Union of America, as a member of the HRC, succeeding the late Commissioner Robert Edwards.

- From Mayor Feinstein, a Memorandum to all Department Heads, announcing a City-wide campaign to stop drivers from running red lights.

- From Bettye O. Simon, Executive Director, Community Streetwork Center of the San Francisco Bay Area, asking support of a proposal submitted to the Department of Youth Authority to fund a Youth Service Bureau, to serve youth in the Western Addition, Mission, and Bayview-Hunters Point Districts.

DIRECTOR'S REPORT

- HRC Budget for Fiscal 1984.

The Mayor has signed the City Budget after the Second Reading by the Board of Supervisors, and positions were retained as requested by the HRC for implementation of the MBE/WBE/LBE Ordinance.

- Accellerated Testing by the Civil Service Commission

HRC staff members will be required under this extensive CSC program to undergo testing procedures to obtain permanent status in the professional classes. The testing will begin in from 30 to 60 days.

- Democratic National Convention MBE/WBE Participation Report.

This report on the HRC's work in obtaining significant minority and women in employment and contracting participation in the preparation, conduct, and dismantling of the convention facilities will be ready for HRC study by the next regular meeting on September 13, 1984. The report will be provided the Mayor, City officials, and the general public as well.

STANDING COMMITTEES

ADMINISTRATIVE
Commissioner Joan Zamora Moulton

- Recommended Adoption of the Rules and Regulations on the Implementation of Chapter 12D of the San Francisco Administrative Code, the Minority/Women/ Local Business Enterprise Ordinance.

Commissioners were provided in their meeting packets with copies of the Fifth (and final) Draft of these Rules and Regulations, a document of nineteen pages, plus four pages of amendments to them, consisting of minor punctuation changes, deletions, substitutions, additions, and replacements.

Director Hickins then noted the input from the Mayor's staff, from the City Purchaser , and from the Coalition for Economic Equity that was formed at the time the HRC hearings on the MBE/WBE contract participation issue were held in February, March and April of 1983.

Mr. Hickins then went through the entire Fifth Draft of the Rules and Regulations pointing out the highlights of sections on : Policy, Definitions, Responsibilities, (of the HRC and City departments, with Guidelines for Specific Departments including the Purchaser, and the Department of Public Works,) Appellate Procedures (Complaints, Answer to Complaints, Investigation, Show Cause Hearing, Appeal Hearing, Findings,Decisions , and Orders) and Sanctions (including Finding of Noncompliance, Conciliation, Findings, Decisions, and Orders).

He stated that the HRC will be required to review departmental plans to make recommendations for modifications in order to meet objectives. These departmental plans are to be submitted by September 30 to the HRC,which will complete its review and recommendations by October 31. The Rules and Regulations become effective August 10, 1984, 120 days from the signing, on April 2, 1984, of Chapter 12D by the Mayor.

Each department will be required to have one person designated to work with the HRC in monitoring implementation.

The Rules and Regulations will be reviewed periodically,initially on a quarterly basis, and then annually. The first review must be completed by March 30, 1985. These reviews of implementation will be provided the Mayor, the Board of Supervisors, and all relevant parties, Mr. Hickins said.

The Director paid tribute to all those who had a part in drafting these Rules and Regulations. He emphasized that there was at last the means to correct the situation that was reported at the beginning of the hearings, i.e., that 50% of the contracting firms in the City have been obtaining 97% of the City's contracts.

A number of speakers then came to the podium regarding the Fifth Draft of the Rules and Regulations.

Mr. James Jefferson, President, San Francisco Black Chamber of Commerce, and for the Coalition for Economic Equity, urged their adoption, noting that there had been a broad spectrum of input, that the community looked forward to working with the HRC in implementation of Chapter 12D, and that there had been demonstrated a spirit of cooperation that exemplifies the close relationship between the HRC and the community. He complimented in particular Director Hickins and Gail Roberts, HRC Coordinator, of the HRC for their contributions, which he said went far beyond what would have been expected.

Ms. Margaret Kisluik,Liaison to the HRC, Mayor's Office, said that it was important that City departments not feel that they are expected to determine ethnicity, but that since the HRC keeps these records currently, it be so stated in the Rules and Regulations.

Ms. Mara Rosales,of the City Attorney's Office suggested changes in the wording of the definition of "Set Aside" as it was proposed it be amended.

Mr. Peter Mardoza, Assistant Deputy Director, of Airports, Business and Finance, asked for guidance on an implementation point.

There followed a period of HRC discussion ofthe suggestions that had been made, both by Commissioners, and by the speakers, for changes in wording in the Fifth Draft of the Rules and Regulations and in the Amendments, changes, deletions, additions, etc.

It was, for example,

*******m/s/c that the Definition of "Set Aside" in the Fifth Draft be retained as is, and the wording of the Amendment added, with the addition of clause, "Subject to the approval of the HRC Director," to the second sentence, beginning, "The awarding authorities shall have the authority to designate..", as suggested by Ms. Rosales.

Commissioner Yamakawa asked why there had been selected 75% -MBE goal , and 25%-WBE goal as figures for counting participation towards meeting both goals for businesses owned and controlled by minority women. Director Mickins explained that the 30/10% ratio formula for WBE participation has been followed, noting that often in the past minority women-owned businesses had been permitted to "double-count" as both minority and women, or given the choice of selecting one category only.

After further discussion various minor points, it was

*******m/s/c that the HRC approve and adopt the Rules and Regulations, Chapter 12D of the San Francisco Administrative Code, Minority/Women/Local business Enterprises (Utilization Ordinance).

Acting Chairperson Lyon paid tribute to "everyone involved" in the preparation of these materials.

LESBIAN/GAY ADVISORY COMMITTEE
Commissioners Phyllis Lyon and Richard Sevilla-Co-Chairpersons

- Request for HRC Adoption of Resolution Regarding Proposed Governmental Regulation of Private Sexual Conduct in Bathhouses and Sex Establishments Commissioner Sevilla.

Noting that the Committee had considered this issue and the drafting of the proposed Resolution for a long time, acting initially in a mediation role forcommunity discussion, the Commissioner introduced several community representative speakers:

Mr. Jim Ferels, Director, San Francisco AIDS Foundation. Mr. Ferels urged passage ofthe Resolution, saying such action would reinforce the work of his and other organizations in continuing public education for the population at risk, the general public, and health-care gorups. He replied affirmatively to Acting Chairperson's Lyon's question as to whether the percentage of sexually transmitted diseases (specifically rectal gonorrhea) had dropped since the beginning of public education projects.

Mr. Doug Werner, representing the Gay Rights Chapter of the American Civil Liberties Union Northern California, brought copies of the ACLU policy on this sexual privacy issue adopted in May of 1984. He said the ACLU policy was not as strong as the proposed HRC Resolution, which he urged be adopted.

Robert K. Bolan, M.D., of the Bay Area Physicians for Human Rights (BAPHR), speaking as President of the Board of the San Francisco AIDS Foundation, said that there is no compelling epidemiological evidence to link the incidence of AIDS to sex in any location, and that bathhouses cannot be proven as a factor in the incidence of AIDS. He, too, said there has been a dramatic decline in the past year or less in the number of AIDS cases, and in cases of rectal gonorrhea. said the issue of sex establishments had overshadowed the educational efforts to change specific kinds of sexual behavior. The issue, he emphasized, is a human rights one, and Commissioner Sevilla echoed this view as that held by the Committee, that is, regulation, of adult, private sexual behavior.

Mr. Lester Olmstead-Rose, a member of the Lesbian/Gay Advisory Committee, stated his concurrence with the preceding remarks , that it was a question not of the place of sexual behavior, but rather of the type of sexual behavior.

Eileen Gillis, of the Lesbian/Gay Advisory Committee staff at the HRC, read from San Francisco Department of Health statistics,comparing the number of rectal gonorrhea cases reported in the first two quarters of 1981, eg., 1,200 and 1,246, with the number reported in the first two quarters of 1984, 414 and 300, to underline the above-cited "dramatic decline" in rectal gonorrhea cases stemming from the beginning of public education programs.

With an addition, suggested by Commissioner Soler, it was *******m/s/c that the HRC adopt the Resolution Regarding Proposed Governmental Regulation of Private Sexual Conduct in Bathhouses and Sex Establishments in San Francisco. The complete text of this Resolution is attached to these Minutes.

EMPLOYMENT
Commissioners Corrine Lee and Esta Soler,Co-Chairpersons

- Viacom Cablevision-Annual Report on Affirmative Action Agreement-Essie Thomas, HRC Employment Representative. NOTE: Ms. Thomas made this and the following three regular periodic monitoring reports.

The written report on which Ms. Thomas based her narrative discussion, showed that it was the first one written under a formal Affirmative Action Agreement with Viacom. Beforehand, back to 1970, when the HRC first began monitoring Viacom, it was working under a Letter of Understanding. Tables I and II, attached to the written report, showed workforce breakdowns as of March 31, 1983 and 1984. The total workforce increased from 1983 to 1984 from 240 to 262, with minority males holding 29% of the total, an increase from 70 to 76, 1983-84. While the total percentage of minorities in the workforce decreased from 43% in 1983 to 42% in 1984, the numerical minority workforce increased from 103 to 109. The current staff goals are to increase the number of minorities and women in management, supervision, professional, technical and sales positions.

- Contracts Awarded by the San Francisco Community College District- Annual Report.-Ms. Thomas

Here, verbatim, is the written report of Ms. Thomas. It was supplemented by six statistical tables showing workforce breadkowns by job category, sex, and ethnic identification, for the three contractors.

The Human Rights Commission has been monitoring contracts awarded by the San Francisco Community College District since 1979.

The Community College District falls under the auspices of Chapter 12B of the San Francisco Administrative Code, the Nondiscrimination Ordinance, in awarding contracts for Goods and Services.

The Human Rights Commission currently is monitoring 3 contracts awarded by the Community College District:

Company	Contract	City	Status
1. California Dental Service	Prime	S.F.	Non-MBE
2. Quan & Arima	Prime	S.F.	MBE *
3. U.S. Administrators, Inc.	Prime	Los Angeles, CA	Non-MBE

The Human Rights Commission has no record of any WBE participation with the Community College District.

* MBE- Minority Business Enterprise. WBE-Woman-owned Business Enterprise.

This report analyzes the workforces of each company contracting with the Community College District by race, sex and occupational category for the period March 31, 1983 to March 31, 1984.

The Human Rights Commission has an Affirmative Action Agreement with California Dental Service. U.S. Administrators, Inc. is located in Los Angeles. The workforce breakdown information is compiled from the HRC Questionnaire and the Federal EEO-1 Report. There is no Affirmative Action Agreement between the HRC and U.S. Administrators, Inc.

*******Staff was asked to obtain a list of all contracts let by the District, and to clarify the HRC jurisdiction under CHapters 12B and 12D through the City Attorney.

- San Francisco City and County Leased Parking Facilities-Annual Report-Ms. Thomas.

The Human Rights Commission has been monitoring leases let by the Parking Authority for the last four years.

Ms. Thomas'report showed, on attached tables, the workforce breakdown of 12 parking facilities by positions, race, sex, number and percentage of each ethnic group, plus whether a formal Affirmative Action Agreement is in place.

The Moscone Center Garage formally opened for business on May 1, 1984. Eleven employees were to be hired. Management has signed an Affirmative Action Agreement, with the HRC, agreeing to hire minorities and women as managers, attendants, and cashiers, while achieving an equitable racial and ethnic balance.

- Certified Public Accounts---Annual Report - Ms. Thomas.

Accountants

Following, verbatim, is the written portion of Ms. Thomas's report, which was appended by workforce breakdown charts for all the covered certificated public accountant firms.

The Human Rights Commission has been monitoring certified public accountant (CPA) companies who contract with the City and County of San Francisco since 1977. The HRC monitors those companies with prime contracts and those companies that sub-contract with prime contractors if the dollar ammount exceeds $10,000. The accounting companies monitored by HRC are:

Company	Contract	Location	Status
Arthur Young & Co.	Prime	S.F.	Non-MBE
Chek Tan & Co.	Sub-contract	S.F.	MBE
Deloitte, Haskins & Sells	Prime	S.F.	Non-MBE
Jeanpierre & Co.	Sub-contract	S.F.	MBE
Main Hurdman	Prime	S.F.	Non-MBE
Morris, Davis & Co.	Prime & Sub-contract	Oakland, CA	MBE
Peat, Marwick, Mitchell & Co.	Prime	S.F.	Non-MBE
Touche, Ross & Co.	Prime	S.F.	Non-MBE
Quan & Arima	Prime	S.F.	MBE

This report discusses the Minority Business Enterprise (MBE) and Woman-Owned Business Enterprise (WBE) participation with contracting companies. Also, this report analyzes the workforce of each company by race, sex and occupational category for the period March 31, 1982 to March 31, 1983 and March 31, 1983 to April 30, 1984.

When setting employment goals for minorities and women with the CPA companies, in addition to using the San Francisco 1980 Standard Metropolitan Statistical Area ((SMSA) data, the HRC surveyed 3 major universities in the San Francisco Bay Area as to how many minorities and women graduated in the Spring of 1983 with a major in Accounting. The 3 universities are: San Francisco State University, University of San Francisco, and the University of California at Berkeley. This limited sample data was due to the lack of available data from other educational institutions in this area.

For the 3 universities, there was a total of 162 graduating accountants: 59 Whites, 14 Blacks, 12 Hispanics, and 67 Asians (the Asians includes Filipinos, Japanese and other Pacific Islanders). All the Whites were women.

For business participation, in accordance with Chapter 12B of the Administrative Code, the following goals are established for minority and woman-owned business participation contracts in excess of $100,000.

1. A range of 10% to 25% of the total dollar amount of the prime contract is established for minority business participation.

2. A range of 5% to 10% of the total dollar amount of the prime contract is established for woman-owned business participation.

NEW MATTERS

- Director Hickins advised that the City Attorney has informed him that HRC may no longer, under the Brown Act (the Public Meeting Act), hold Executive Sessions to weigh testimony and issue a decision after public hearings. All deliberations, he said, are in public. This does not apply retroactively, however, to any decisions reached in Executive Sesssion to date by the HRC. It is possible, he said, for there to be public announcement of a decision, with delegation to a member of the HRC to write it in formal style subsequently.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, September 13, 1984, in the Third Floor Commission Room of the Main Library at 10AM.

STANDING COMMITTEES

Employment	Thursday, September 6, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, August 21, 1984 5 to 8 PM Room 1200, State Building 350 McAllister, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	Wednesday, August 15, 1984 3 PM Room 509 HRC Offices 1095 Market Street

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Hickins
via Jack Gaston

GSH:JG:ltn:bclp
8/20/84

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION REGARDING PROPOSED GOVERNMENTAL REGULATION OF PRIVATE SEXUAL CONDUCT IN BATHHOUSES AND SEX ESTABLISHMENTS IN SAN FRANCISCO.

WHEREAS, the AIDS epidemic is affecting many numbers of San Francisco citizens; and

WHEREAS, the AIDS incidence rate continues to rise and have a distressingly high mortality rate attached to it which demands our immediate action; and

WHEREAS, health professionals cite types of sexual behavior and not locations as causative factors in the transmission of AIDS; and

WHEREAS, governmental regulation of private consensual conduct between adults is an infringement of civil liberties;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission is opposed to any action by the City and County of San Francisco to close bathhouses or to prohibit or regulate private consensual sexual activity in any bathhouse or sex establishment absent a showing that it is a necessary and essential public health measure supported by clear and convincing medical and epidemiological evidence; and

AND, BE IT FINALLY RESOLVED, that the Human Rights Commission fully support the voluntary community efforts of organizations such as the San Francisco AIDS Foundation and government agencies such as the Department of Public Health in their efforts to ensure expanded AIDS education/ prevention programs for populations at risk, the general public, and health-care providers. These efforts must be funded and supported at even greater levels on the local, state, federal, and private levels.

Resolution 4-84
Adopted by the HRC 8/9/84

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, September 13, 1984
Third Floor Commission Room
Main Library

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NEXT MEETING

THE MEETING SCHEDULED FOR SEPTEMBER 27 HAS BEEN CANCELLED.

DATE: Thursday, October 11, 1984
TIME: 10:15 AM
PLACE: Third Floor Commission Room
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Brenda K. Wade (presiding), Thomas E. Ambrogi, Samuel Chung, Joe Jung, Corrine Lee, Phyllis Lyon, John Morrissey, Joan Zamora Moulton, Nicerita Revelo, George Suncin, Rabbi Martin Weiner, David K. Yamakawa, Jr.

Excused: Esta Soler

Staff

Present: Grant S. Mickins, Bettye A. Durrell, Bea Cardenas-Duncan, Jack Casford, Stanley Lim, Richard Norton, Pansy Ponzio Waller, Gail Roberts, Mary Gin Starkweather, Jackie Winnow.

Pledge of Allegiance

Minutes of August 9, 1984 approved with one correction:

Page 4, last paragraph on the page under Lesbian/Gay Advisory Committee report: Line six of the statements attributed to Robert K. Bolan, M.D., of the Bay Area Physicians for Human Rights, the clause "...the number of AIDS cases, and..." should be deleted (corrections requested by Commissioner Lyon)so the sentence reads, "He, too, said there has been a dramatic decline in the past year or less in cases of rectal gonorrhea."

COMMUNICATIONS

- From Charles Perkel, Secretary-Treasurer/Business Manager, Service Employees Union Local No. 77 (AFL-CIO) informing that the union local has no interest in pursuing any charges against American Airlines. This is the case known for many months as the Janitors at the Airport. The HRC ruled July 26, 1984 at an Executive Session that it has continuing jurisdiction in the Complaint of Noncompliance (Case 118-82), and an appeal hearing date is still to be set. Local 77 had brought the charges against Pacific Southwest Airlines, American Airlines and World Services, Inc., doing business as World Services Company originally. A new union, Local 87, sought to represent the Janitors, and Mr. Perkel referred the HRC in his letter to them to see if they claim any charges.

- From Mayor Feinstein, to Mr. Lawrence B. Martin, International Representative, Transport Workers Union of America, informing him (on July 30, 1984) of his appointment to the HRC (ucceeding the late Robert D. Edwards, who died in September Of 1983). Mr. Martin's swearing-in was set for Friday, September 14, at 11 AM in the Mayor's Office. See Director's Report.
- From Mayor Feinstein, a Memorandum to all City Department Heads, announcing her campaign to stop drivers in the City from running red lights, and urging dissemination of campaign information to all employees driving City Vehicles. The Mayor stated that Police statistics show that the City has had more than 600 accidents so far this year caused by people who run red lights.

- From Bettye O. Simon, Executive Director, Community Streetwork Center of the San Francisco Bay Area, asking for support of a proposal submitted to Department of Youth Authority by the Center for funding a Youth Service Bureau in the City to serve youth of the Western Addition, Mission, and Bayview-Hunters Point Districts.

- From R. Barry Churton, of the law offices of Cooper, White & Cooper, representing Quantas Airways, Ltd., notifying that Quantas declines to sign the affirmative action agreement proposed by the HRC in April of 1984. See Director's Report section of these Minutes.

- From Supervisor Willie B. Kennedy, thanking Chairperson Wade for sending a copy of the HRC Resolution (4-84, adopted by the HRC at its regular meeting August 9, 1984.) Regarding Proposed Governmental Regulation of Private Sexual Conduct in Bathhouses and Sex Establishments in San Francisco. The Resolution states the HRC opposition "...to any action..by the City....to close bathhouses or to prohibit or regulate private consensual sexual acitvity in any bathhouse..." Supervisor Kennedy's enclosed Press Release of August 8 revealed that she had withdrawn her name from a proposed ordinance that would have called for such action.

- From Board of Supervisors President Wendy Nelder, acknowledging the receipt of a copy of Resolution 4-84.

- From Regina Almaguer, Coordinator, Art in Public Places, Arts Commission, congratulating the HRC for having a photograph of a sculpture by Refino Tamayo on the cover of the Annual Report for 1982-83. The work appears at San Francisco International Airport, and Ms. Almaguer recounted the circumstances of the placement of the work on permanent exhibition at the Airport as part of the City's stipulation that up to two percent of new construction budgets be allocated for the acquistion of City-owned, publicly-displayed artwork. The sculpture, entitled "Conquest of Space," is by one of Mexico's premier artists, Mr. Tamayo and first to be permanently exhibited outside of Mexico.

- From George A. White, Assistant Executive Director, San Francisco Clean Water Program, expressing appreciation for the HRC's "continuous cooperation" in developing affirmative action goals at the Southeast Community Facility Project. Mr. White's letter acknowledged receipt of an HRC letter granting approval to award the Project construction contract to the joint venture Amoroso, Verrett and Tutor-Saliva. This was approval of the contractor's Minority and Women Business Enterprise participation program.

- From Eva Paterson, San Francisco Lawyers' Committee for Urban Affairs, a copy of a Memorandum to the Coalition for Economic Equity regarding selection of attorneys to represent the interest of Minority and Women-Owned Business Enterprises when, as expected, the Associated General Contractors of California (San Francisco District) file a lawsuit challenging Chapter 12D, MBE/WBE/LBE Ordinance.

- Director Nickins commented that an attached article to Ms. Paterson's memorandum from the Daily Pacific Builder editions of August 16, 1984 stated that Pacific Legal Foundation will represent the AGC. Mr. Nickins said that the expected lawsuit has not been filed to date, however. See Director's Report section of these Minutes.

- From Stan Palomares Criollos, MSW, Community Relations Specialist, Leadership Programs, Mexican American Legal Defense and Educational Fund, a copy of his letter to Mayor Feinstein, supporting Mr. Lawrence Cruz as a replacement for Commissioner Richard A. Sevilla, who resigned from the HRC September 1.

- From Jean Quan, Service Employees Union Local 87, expressing concern that the HRC hearing in the Janitors at the Airport case be scheduled within the 60-day period indicated at its Executive Session jurisdiction decision of July 26, 1984. (See above).

- From Carole Migden, President, Harvey Milk Gay Democratic Club, a copy of a letter to Mayor Feinstein, supporting the appointment of Mr. Lawrence Cruz to the HRC.

- From David Buoncristiani, of Thelen, Marrin, Johnson & Bridges, Attorneys at Law, representing Morrison-Knudsen Company, Inc. and the joint venture of Ocean Beach Outfall Constructors which is performing the Southwest Ocean Outfall Project, requesting a reconsideration of a portion of the Director's Finding of August 20, 1984, and an informal hearing, if possible. The Finding, announced August 23, 1984 by the HRC, levied a fine of $7,500 on Morrison-Knudsen and Arvie & Son Associates "for having violated the City's Affirmative Action Program by substituting a trucking firm for another without the HRC's approval." See Director's Report.

- From Kenneth Kinnard, P and K Trucking, a Western Union Mailgram requesting time to file an appeal to the above Finding.

DIRECTOR'S REPORT

- Janitors at the Airport

The Associated General Contractors of California (San Francisco District) have not yet filed a lawsuit challenging Chapter 12D, the MBE/WBE/LBE Ordinance.

- Recreation and Park Department Lessee Issue.

The operator of stables in Golden Gate Park holding a lease from the Recreation and Park Commission has taken legal action regarding the Park Commission's citing Chapter 12D as one reason for denying him the right to assign the lease to another operator. The Commission said that Chapter 12D now makes it adrisable to re-advertise leases of this sort. The lease-holder obtained a Writ of Mandamus from Superior Court recently, and the lease issue was remanded back to the Park Commission for reconsideration.

The City Attorney's Office is meeting with the Recreation and Park Commission regarding the possibility of their appeal of the Writ.

- Black-Jewish Clergy Dialogue

Director Hickins has been working with Earl Raab, Director of the Jewish Community Relations Council, and Rita Semel, Chairperson of the Intergroup Clearinghouse, in reviving the dialogue that bagan in recent years between the two communities. The first joint meeting will be held September 19, 1984 at 5 PM at Temple Judea-Beth Israel, on Brotherhood Way. This was initiated by the Black Ministerial Alliance and the Northern California Board of Rabbis.

- Quantas Airways, Ltd, Affirmative Action Issue

See Communications section of these Minutes. The attorneys for Quantas have notified the HRC in writing that Quantas is refusing to sign the affirmative action agreement, based on HRC review of the existing workforce of Quantas at San Francisco International Airport, saying that the provisions particularly objectionable are the minority and female goals established for both employment and minority business set-aside.

Director Hickins said that the HRC's proposed affirmative action plan for Quantas was not intended as a final document, and that he considered it a negotiation instrument.

- Resolution of Gratitude to Commissioner Sevilla.

At the suggestion of Commissioner Morrissey, a Resolution of Gratitude to Commissioner Sevilla, who resigned September 1, 1984, was adopted, and staff was requested to forward it to him with a cover letter conveying their collective thanks for his service. A copy of that Resolution is attached to these Minutes.

- Religious Issues '84.

Commissioners Ambrogi, who is Director of Religious Issues '84, distributed announcements of a series of discussions on Religious Issues and the 1984 Presidential Campaign. They will be held October 9, 16, and 23, at the Urban Life Center, 1101 O'Farrell Street (at Franklin), at 7:30 PM. The sponsor is the San Francisco Lay Center for Theological Studies and Religious Issues '84. Commissioner Ambrogi can provide further information at 885-5370.

- Swearing-In Ceremonies for Commissioners

New Commissioner Lawrence B. Martin will be sworn-in to succeed the late Commissioner Robert Edwards on Friday, September 14, 1984 at 11 AM in the Mayor's Office. Commissioners Ambrogi, Lee, Soler and Wade will be sworn-in also at that time and place, though their re-appointments to full four-year terms were made in February of 1984.

- Morrison-Knudsen Appeal of Director's Finding

See Communications section of these Minutes. Morrison-Knudsen Company, Inc. has requested a reconsideration of a portion of the Director's Finding issued August 20, 1984 regarding a complaint of noncompliance initiated by the HRC against both Ocean Beach Outfall Constructors and Arvie & Son Associates.

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES

LESBIAN/GAY ADVISORY
Phyllis Lyon, Chairperson

- Requested Approval of Letter to the Civil Service and General Administrative Committee of the Board of Supervisors Regarding the Proposed Chapter 12E of the Administrative Code. Chapter 12E, introduced by Supervisors Richard Hongisto and Quentin Kopp, would disallow inquiry on any City employee's or any job applicant's sexual orientation, practices, or habits.

Commission Lyon announced that the proposed Chapter 12E ordinance is being re-drafted, so by the City Attorney's office HRC discussion was postponed at this time.

- Requested Approval of Letter to the President of the Police Officers Association Regarding a Column Published in the July, 1984 Edition of The San Francisco Policeman.

Copies of the Draft of this proposed letter, with a copy of the column which appeared in the July issue of The San Francisco Policeman, the official publication of the San Francisco Police Officers Association, were provided each Commissioner. The HRC Draft letter was addressed to Mr. Al Casciato, President, San Francisco Police Officers Association (POA). The column was headed by the byline of Jim Higgins, Robbery Detail, whose name headed six names printed at the end of the text as Jim Crowley-Homicide, Ed Erdelantz-Homicide, Joe Mollo-P.A.L., Dan Hampton-Academy, and Ed Mateui-Rm 400 Investigations.

Commissioner Lyon read the Draft letter in full to the HRC, and there ensued extensive discussion among the Commissioners about its wording and purpose.

Commissioner Lyon stated that the purpose of the letter as drafted was to sensitize the publishers of The San Francisco Policeman to the fact that the publication of this column, which expressed strongly-critical commentary on the homosexual lifestyle, criticized the appointment of a Police chaplain who is homosexual,made frequent reference to "moral principles", referred to the "Law of God", etc., and ending by stating, "This is not one man's opinion, but comes from all men and women of COPS FOR CHRIST, and a multitude of others whose moral standards rise above "situational ethnics". In the words of the letter, the article gives "...official credibility and sanction to an anti-Gay bias, which can then easily be inflamed to violence."

Considerations of freedom of expression, freedom of opinion, the right to publish, etc. were weighed in Commission discussion against the publication in an official organ of a law enforcement officers'organization of personal anti-Gay opinions.

Commissioner Morrissey was concerned that the letter be phrased in an instructive or educational way that would emphasize that Gay men have the right to protection of law, protection by Police, and to human dignity. He was joined by Commissioner Yamakawa, who asked if the letter might not be framed in a conciliatory tone. (The letter draft asked for a statement of the POA's editorial policy on publishing articles with personal biases, and the name of the person making the final editorial decision to publish.)

Commissioner Lyon said she felt that one of the letter's primary purposes was to elucidate to the Association the possible anti-Gay violence that might be caused by publication of such opinions.

Other comments and suggestions, some for re-wording, some for deletions, some for points of grammar, came from Commissioners Weiner, Ambrogi, and Suncin. Supportive statements for sending the letter as an expression of HRC concern over the tenor of the column and its possible effects came from Commissioners Moulton and Wade.

After some changes and the deletion of two clauses, it was

*****m/s/c that the HRC authorize sending the letter regarding the cited column published in the July, 1984 edition of The San Francisco Policeman. The full text of this letter is attach to these Minutes. Commissioner Morrissey voted No. The vote was 12-1.

YOUTH AND EDUCATION

Rabbi Martin S. Weiner and Nicerita Revelo,
Co-Chairpersons

- Goals and Objectives for 1984-1985 - Beatrice Cardenas-Duncan

Commissioners were provided with this two-page document listing as issues childcare, families, and youth, plus Resolutions adopted by the HRC, on Youth and Education recommendation, to be followed-up, as well as proposed new organization members and public speakers. Ms. Cardenas-Duncan announced that the locations of the regular monthly meetings of the Committee will be rotated among various communities and organizations in the City.

Commissioner Wade suggested that the Committee work closely with the Mayor's Advisory Council on Children, Youth, and Families in order to focus youth-serving agencies and resources in the City so as to reduce the fragmentation of these services. She also suggested that sexual abuse of children be a major concern, and Ms. Cardenas-Duncan stated that current State legislation addressed to this issue is being followed closely by Youth and Education already.

It was announced that Robert Alioto, Superintendent of Schools, has asked the Youth and Education Committee to co-sponsor with the San Francisco Unified School District, a public forum for discussion of parental concerns about the status of implementation of the Consent Decree of December 30, 1982, entered into by the National Association for the Advancement of Colored People and the SFUSD. The NAACP had challenged the School District regarding desegregation short-comings in public schools. The HRC adopted Resolution 7-83 on September 27, 1983, calling for the reopening of Charles Drew School, full implementation of the Consent Decree, and requesting that Judge William H. Orrick, United States District Judge, Northern District of California, appoint the HRC as the independent monitor, for implementation.

Though the HRC was not named as the independent monitor, Ms. Cardenas-Duncan said that it will be co-sponsoring the forum, which will involve the full School District staff implementing the Consent Decree, plus the principals of all the schools affected by it, and all concerned parents. The forum will be in the evening, either October 17 or 24, at the State Building, in the Auditorium, Room 1194, 350 McAllister, in the Civic Center. It will be widely publicized through mailings and press releases. It will be emphasized that it will be a forum for a discussion of concerns about implementation, not a debate about whether the Consent Decree was/is desirable. A moderator will be sought from the League of Women Voters, and interpreters provided (this latter suggested by Commissioner Lee). The Youth and E Education Committee Co-Chairpersons will most likely formally open the forum, Ms. Cardenas-Duncan said.

NEW MATTERS

ADMINISTRATIVE COMMITTEE
Joan Zamora Moulton, Chairperson

- Democratic National Convention Report.

Commissioner Moulton asked that there be set up a committee to evaluate the Democratic National Convention and the HRC achievements in obtaining minority and

women participation.

Director Nickins said that staff is still compiling the data from the prime contractor and others to show the results of HRC work to secure minority and women participation in employment and in contracting. He said the work of compilation had been delayed by the failure of the prime contractor to provide this information. He was urged by the HRC to write again on their behalf urging that this information and data be provided as soon as possible.

FURTHER NEW MATTERS

- HRC Hearing Panels Issue.

Commissioner Morrissey had requested in 1982 if ways could not be found to reduce the number of Commissioner legally required to hear and render decisions on appeals. The Charter mandates a majority (eight). The City Attorney's Office had been asked more than 15 months ago, said Director Nickins, to help draft an amendment to the Charter provision to enable the HRC to reduce the hearing-panel size, and he stated that he would renew his request for this change.

- Hearings Upcoming

The Director said that he hoped that by December the hearings on the Janitors at the Airport case and on the Morrison-Knudsen case will have been completed.

CALENDAR MATTERS

The meeting scheduled for Thursday, September 27, 1984 has been cancelled, as that is the first day of Rosh Hashanah. The next regular meeting, unless changed, will be Thursday, October 11, 1984 at 10:15 AM in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, October 4, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, September 18, 1984 5:30 to 7:30 PM Room 1202, State Building 350 McAllister, Civic Center
Housing and Urban Development	To be announced
Social Issues and Police Liaison	Wednesday, September 19, 1984 3 PM Room 509 HRC Offices, 1095 Market Street
Youth and Education	To be announced

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted,

Grant S. Nickins
via Jack Casford

Attachments

GSN:JC:ltn
9/25/84

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

September 17, 1984

Mr. Al Casciato, President
Police Officers Association
510 Seventh Street
San Francisco, California 94103

Dear Mr. Casciato:

The Human Rights Commission of San Francisco, in action taken at its regular meeting of September 13, 1984, upon the request of the Lesbian/Gay Advisory Committee, voted to write to express its deep concern regarding the article which appeared in the July, 1984 edition of The San Francisco Policeman, the official publication of the San Francisco Police Officers Association. This article continually exudes anti-Gay statements, exhibits extreme homophobia, and is signed by six individuals who use their titles as police officers to add credence to their statements.

The article, under the byline of Inspector Jim Higgins, Robbery Detail, charaterizes the homosexual lifestyle as immoral, inferring that it should be made illegal and that it is in violation of "God's law and nature's law." Mr. Higgins, a member of Cops for Christ, in this article concludes with a statement that the appointment of a homosexual Police Chaplain is a "humiliation" to the department.

While the Commission is in support of the author's right to freedom of speech, it objects strongly to action by the signers of this letter to publicly use a title representing the City of San Francisco in espousing personal prejudicial beliefs. Your action to publish this article in The San Francisco Policeman serves to further support these views, which then inflames a distrust in a community your officer members have been hired to serve. The fact that one of the signers of the article is assigned to investigate a Gay-related murder is frightening to a public expected to hold faith in an investigator's ability to act impartially in this case.

Please clarify the editorial policy of your association regarding the publication of articles displaying such a personal bias.

The Commission need not remind you that members of the Lesbian and Gay population of San Francisco have often been the target of bizarre and life-threatening physical attacks. We need not search very far for evidence of this, as we have a recent example in the murder of John O'Connell, a Gay man, who appears to have been specifically chosen as the focus of violence because he was homosexual. The history of San Francisco is replete with such examples.

It is our experience that the direct result of the publication of articles such as the one authored by Mr. Higgins is to give official credibility and sanction to an anti-Gay bias, which can then easily be inflamed to violence. This is counter to the mandate of the Police department which, as you are aware, is to keep the peace.

We ask you to give a great deal of thought to your editorial policy and to act responsibly to modify it in light of the knowledge that to the public your publication reflects the spirit of the San Francisco Police Department and the City itself.

We look forward to a reply which will, hopefully, give indication of an improvement in your editorial policy. Thank you for your attention to this matter.

Very truly yours,

Commissioner Brenda K. Wade, Ph.D.
Chairperson

BKW:EG:ltn

cc: The Honorable Dianne Feinstein
Police Chief Con Murphy
The Board of Supervisors
The Police Commission

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION OF GRATITUDE TO COMMISSIONER RICHARD A. SEVILLA

WHEREAS, Commissioner Richard A. Sevilla served as a member of the Human Rights Commission from June of 1981 until his retirement in September of 1984; and

WHEREAS, Commissioner Sevilla served a co-chairperson of the Social Issues and Police Liaison Committee, and the Lesbian/Gay Advisory Committee; and

WHEREAS, Commissioner Sevilla gave exemplary leadership and conscientious devotion to his Commission and Committee obligations; and

WHEREAS, Commissioner Sevilla set a high standard for all by his investment of many extra hours of thought and energy to the full range of work of the Human Rights Commission; and

WHEREAS he was an eloquent spokesperson for Lesbian and Gay and Hispanic concerns not only at the HRC, but throughout the San Francisco working and academic community;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission extend its gratitude for these contributions of service, and express to Commissioner Sevilla its wishes for the best of good fortune in his new life in Southern California.

Resolution 5-84
Adopted by the HRC 9/13/84

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Special Meeting of Thursday, October 18, 1984
Room 1202 State Building, 350 McAllister

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NEXT MEETING

DATE: Thursday, October 25, 1984
TIME: 9:15 AM
PLACE: Room 702, State Department of Industrial Relations
525 Golden Gate Avenue.

This meeting will be a continuation of the Special Order Appeal Hearing in re: Charles Perkel, SEIU Local 77 (Case 113-82, referred to as the Janitors at the Airport case), who filed a Complaint of Noncompliance vs. American Airlines, Pacific Southwest Airlines, and Western Airlines, and World Service, Inc. The first Appeal Hearing was October 11, and due to its length, the Agenda for the HRC for that date was postponed to October 18 to this Speical Meeting. The HRC Agenda for October 25 will be taken up following the Appeal Hearing on that date.

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Samuel Chung, Corrine Lee, John Morrissey, Nicerita Revelo, George Suncin.

Excused: Joe Jung, Larry Martin, Joan Zamora Moulton, Esta Soler, Brenda K. Wade, Rabbi Martin Weiner, David K. Yamakawa, Jr.

Staff

Present: Grant S. Mickins, Bea Cardenas-Duncan, Jack Casford, Bayard Fong, Richard Norton, Gail Roberts.

No Pledge of Allegiance due to absence of a Flag.

Minutes of September 13 approved. The meeting of September 27 had been cancelled. The Regular Meeting agenda of October 11 (see above) had been postponed.

COMMUNICATIONS

- From Florence Stagner, Mayor's Office, a Memorandum announcing the swearing-in ceremony for Sal Rosselli, as a new HRC member, and of Commissioners Samuel Chung and John C. Morrissey, who have been re-appointed to new four-year terms, to be held Tuesday, October 23 at 11 AM in Room 200, City Hall.

- From Mayor Feinstein, a copy of her letter to Commissioner-designate Sal Rosselli officially appointing him as an HRC member. See above.

- From Major Feinstein, a copy of her State of City Address of October 9, 1984. The HRC contributed to the resource material in the preparation of this Address by the Mayor's Staff.

- From Mayor Feinstein, to Gail Roberts, HRC Coordinator, congratulating her on her nomination (by the HRC Director) for the Managerial Excellence/Efficiency Award, presented annually by the Mayor's Fiscal Advisory Committee and the San Francisco Planning and Urban Research Association (SPUR). Four awards will be presented at a luncheon October 25..

- To Mayor Feinstein and Roger Boas, Chief Administrative Officer, a copy of a Memorandum of Understanding between the Director of the Human Rights Commission and Purchasing and Services to Implement Ordinance 139-84 (The MBE/WBE/LBE Ordinance). The Memorandum spells out the separate functions for the HRC, the Purchasing Department, and User Departments, and cites the funding grant from the federal Office of Minority Business Enterprise Administration of the Department of Commerce to provide staff and resources to be utilized by the Purchasing Department.

- From the Mayor to Commissioners John C. Morrissey, Samuel H. Chung and Rabbi Martin S. Weiner, formal letters announcing their reappointments as HRC members.

- From John W. Wilde, Ph. D., Edu-Quest, Consultants of San Francisco, to Commissioner-designate Sal Rosselli, a letter of congratulations on his appointment to the HRC. Mr. Wilde is a member of the Mayor's Council on Disability Concerns.

- From Ms. Rosario Anaya, Commissioner, San Francisco Board of Education, to Commissioner Joan Zamora Moulton, reporting her dismay at witnessing a raid by the Immigration & Naturalization Service on September 6 at 19th and Harrison, and asking for HRC consideration of her protest. The Social Issues and Police Liaison Committee, at Commissioner Moulton's request, will be considering Ms. Anaya's letter and concerns.

- From Linda Chavez, Director, U.S. Commission on Civil Rights, to Donald Hesse, HRC Fair Housing Coordinator, responding to his letter expressing interest in the Commission's work in the area of housing discrimination, and announcing that it will hold a fact-finding hearing on the subject next year.

- From Rabbi Malcolm M. Sparer, and The Reverend William Turner, Black-Jewish Clergy Clergy, thanking Director Mickins for his participation September 18 in a meeting at Congregation Beth Israel Judea.

- From Valerie V. Voorhies, L. V. Products, Inc., to Director Mickins, commending Ms. Julie Yim, HRC Contract Compliance Officer at San Francisco International Airport, for her assistance as part of her work with minority and women-owned businesses.

DIRECTOR'S REPORT

_ Office of Community Development Grants.

The Finance Committee of the Board of Supervisors heard from community agency representatives and others at a hearing October 17 in City Hall. The HRC last year received $147,000 for its conduct of a housing discrimination program and contract compliance. It had been recommended for the same level of funding for the next federal Fiscal Year funding. The HRC has submitted a formal request for approximately $200,000. The City Budget Analyst has recommended a grant at the level of $175,000. Mr. Mickins said that the HRC would lose a professional staff position if it did not receive the requested amount. He said he expected to hear the results of the Finance Committee final recommendations on this request shortly.

- California Association of Human Rights Organization (CAHRO) Conference.

The HRC will co-host, with the San Mateo (City) Human Relations Commission, the annual conference of CAHRO, in San Francisco, in 1985, approximately May 30, 31 and June 1. Tentatively scheduled speakers include Clarence Pendleton, of the U.S. Civil Rights Commission. Some 100 delegates are expected for this conference, and members of the HRC will be called on for their areas of expertise. Director Mickins attends this conference annually and has served as speaker and member of workshop panels.

- Swearing-In-Ceremony .

See Communications Section of these Minutes. Commissioner Chung and Morrissey will be sworn in to new four-year terms, and Commissioner Sal Rosselli, succeeding resigned Commissioner Richard Sevilla, will be sworn in at a ceremony on Tuesday, October 23, at 11 AM in Room 200, the Mayor's Office, City Hall.

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES

SOCIAL ISSUES AND POLICE LIAISON
Commissioners John C. Morrissey and David K. Yamakawa, Jr., Co-Chairpersons

- Recommended HRC Opposition to Proposition 41. - Commissioner Morrissey.

A background paper giving highlights of the positions of those supporting and those opposing this Proposition on the November ballot was provided Commissioners for their study, in advance of the meeting. The Committee had voted its intention to recommend opposition by the HRC at its meeting September 17. This action was postponed from the HRC's October 18 regular meeting.

Commissioner Morrissey referred to further information on the pro and con sides of the Proposition from the Voter's Handbook. The measure, proposed by State Assemblyman Ross Johnson, would limit California state expenditures for public assistance program benefits to the national average, excluding California, plus 10%. Increases in benefit levels could be made only by a two-thirds vote of the Legislature. Proposition 41 is opposed by the Board of Supervisors.

It was

*****m/s/c that the HRC oppose Proposition 41, on the basis of discussed research and for the reasons stated by the Social Issues and Police Liaison Committee. The vote was unanimous.

- Recommended HRC Opposition to Proposition 36

Commissioner Morrissey also referred to the background paper provided in advance regarding the Commitee recommendation and giving positions for and against the Proposition, which is on the November ballot. This is the so-called "Jarvis IV" initiative to limit and refund property taxes by amending Proposition 13 to prohibit any new taxes on real estate, and requiring a two-thirds vote for enacting any new local taxes on real estate, as well as requiring to two-thirds vote for enacting any new local taxes, fees, and assessments. Proposition 36 is opposed by the Board of Supervisors, the League of California Cities, the California Taxpayers' Association, etc.

According to the Board of Supervisors' Budget Analyst, San Francisco could face a one-time loss of $30 to $60 million, and an annual revenue losses of $25 million due to assessment roll-backs called for in the initiative.

It was

*****m/s/c that the HRC formally oppose Proposition 36. The vote was unanimous.

- Staff was directed to draft a Press Release on these two actions.

YOUTH AND EDUCATION

Commissioners Nicerita D. Revelo, Rabbi Martin S. Weiner, Co-Chairpersons

- 1983-1984 Report of Activities Addressed by The Youth and Education Committee- Beatrice Cardenas-Duncan

Ms. Cardenas-Duncan, who staffs the Committee, reviewed the highlights of a five-page narrative document, with appendices (provided in advance to the HRC), detailing the issues addressed from January, 1983 to August of 1984. They included: the proposed status offenders service system; a report on Special Education Programs and Services Offered by the San Francisco Unified School District for Individuals with Exceptional Needs. prepared by Dianne Healy, a student intern assigned to the HRC from San Francisco State University; consideration of the Consent Decree (NAACP v. SFUSD)---see below---; and Resolutions regarding the proposed Commission on Children, Youth and Families, nuclear weapons proliferation as part of the social science curriculum in the public schools, and the creation of an Ombudsman Office in the District, and, finally, support for the approval by the Board of Education of a book, Demystifying Homosexuality, as a teaching resource in the public schools.

Ms. Cardenas-Duncan gave the present status of all the above issues.

She announced that the HRC will be co-sponsor, at the request of Superintendent of Schools Dr. Robert F. Alioto, of an Open Forum for community discussion and information on the status of implementation of the Consent Decree (NAACP v. SFUSD) to be held Wednesday, October 24, from 7 to 9 PM, in the Auditorium of the State Building, 350 McAllister. The moderator will be provided by the League of Women Voters.

All publicity to the media and contact with the public schools for this Open Forum have been provided by the School District, according to Flix Duag, Public Information Officer. All known parent, school and community organizations are being contacted in order to have a large a turnout as possible. The Youth and Education Committee also has been actively working to disseminate notice of the Open Forum.

Ms. Cardenas-Duncan reported that membership in the Committee remains active and committeed, with an average of 20 to 25 attending each meeting.

- Presentation-San Francisco Department of Social Services - "The Adoption Program"---a program that recruits adoptive families for San Francisco Black Children.

This presentation, orginally scheduled for the HRC regular meeting of October 11, had to be postponed at that time due to the Appeal Hearing that preceded it. The presentation, which includes slides, will be rescheduled at a November HRC regular meeting.

NEW MATTERS

It was announced that Commissioner Moulton's father died recently, and staff was asked to write the condolences of the HRC to her.

CALENDAR MATTERS

- The next regular meeting of the HRC will follow the Special Order Appeal Hearing continuation in the Janitors at the Airport case on Thursday, October 25, in Room 702, in the State Department of Industrial Relations Building, 525 Golden Gate Avenue, between Van Ness and Polk Street, beginning at 9:15 AM.

STANDING COMMITTEES

Employment	Thursday, November 1, 1984 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, November 20, 1984 5:30 PM Room 1200, State Building, 350 McAllister
Housing and Urban Development	To be announced
Social Issues and Police Liaison	Wednesday, November 14, 1984 3 PM Room 509, HRC Offices, 1095 Market

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday, October 25, 1984
Room 702 Department of Industrial Relations Building
525 Golden Gate Avenue
9:15 AM

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NEXT MEETING

DATE: Thursday, November 8, 1984
TIME: 10:15 A.M.
PLACE: Third Floor Commission Room
Main Library Civic Center

This meeting was a continuation of the Special Order Appeal Hearing in re: Charles Perkel, SEIU, Local 77 (Case 118-82, referred to as the Janitors at the Airport case) v. American Airlines, Pacific Southwest Airlines, et al., and World Service, Inc. The first Appeal Hearing was October 11.

NOTE:

See under Calendar Matters Section of these Minutes the schedules of the HRC's Regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: Joan Zamora Moulton (presiding), Samuel Chung, Phyllis Lyon, Larry Martin, John C. Morrissey, Nicerita Revelo, Sal Rosselli, Esta Soler, George Suncin, David K. Yamakawa Jr.

Excused: Thomas Ambrogi, Joe Jung, Corrine Lee, Brenda Wade, Rabbi Martin S. Weiner.

Staff

Present: Grant S. Hickins, Frank Anderson, Bettye Burrell, Jack Casford, Stanley Lim, Clemente Newball-Obregón, Richard Norton, Pansy Ponzio Waller, Mary Gin Starkweather, Essie Thomas, Julie Yim.

No Pledge of Allegiance due to lack of a Flag.

Communications

- From Mayor Dianne Feinstein to Commissioner David K. Yamakawa Jr., Co-Chairperson of the HRC Social Issues and Police Liaison Committee, thanking him for an August 22 letter regarding the "Report of Conditions in San Francisco's Juvenile Hall" by the Mayor's Youth Guidance Center Committee, and informing that she has asked the Supervising Judge of the Juvenile Court, Daniel M. Hanlon, to respond formally to each of the thirty-six recommendations in the report. The HRC letter had sought Mayoral support for a followup on these recommendations.

- From Gregory W. McClune, of Littler, Mendelson, Fastiff & Tichy, Attorneys at Law, as Attorney for Mount Zion Hospital, informing of an appeal and request for a show cause hearing to a September 25, 1984 Director's Finding involving a complaint by William Ribner v. Mount Zion Hospital.

- From Bette Catoe, M.D., Chairperson, District of Columbia Commission on Judicial Disabilities and Tenure, Washington, D.C., responding to the HRC letter of August 1, 1984, regarding remarks attributed to Superior Court Judge Nicholas Nuzio (in Washington, D.C.) at the time of his sentencing of two young men convicted of an assault on a Gay man. Ms. Catoe said the D.C. Commission has reviewed the HRC questions together with "...a number of complaints received earlier...." She said she was constrained from disclosing the particulars of the Commission's deliberations.

- To David Halvorsen, Editor, San Francisco Examiner, with copies to William Randolph Hearst III, Publisher, Tim Reiterman, investigative reporter, Mayor Feinstein, Deputy Mayor Roff, and members of the HRC, from Director Mickins, in response to a series of articles October 21,22,23, and 24, by by Mr. Reiterman, after some six weeks of investigation, regarding the Minority/Women Business Enterprise program, contract compliance, HRC enforcement procedures, etc. See Director's Report.

- From Morris Bernstein,President, Airports Commission, a copy of his letter, also to Mr. Halvorsen of the S.F. Examiner, in response to the same series of articles.

DIRECTOR'S REPORT

- San Francisco Examiner Series on Minority/Women Business Enterprise and the HRC.

See Communications section of these Minutes. Mr. Mickins briefly outlined the highlights of a series of articles that began in the Sunday Examiner, October 21, 1984, and continued through October 24, under the by-line of Tim Reiterman. The front-page headline in the lead article was headlined, "White Firms Grab Minority Contracts". Besides the front-page article on the first day of publication, there were two complete inside pages devoted to its continuation and to other articles (a profile of a small minority trucking firm, quotations from HRC staff and others, a profile of the history of the HRC, a story on an alleged minority "front" firm for a majority firm, etc.). Mr. Mickins said that Mr. Reiterman had studied HRC records and interviewed a number of HRC staff and talked to other ity departments over several weeks.

The HRC's formal response letter to the Examiner cited eleven points which it feels are either misleading or inaccurate. It notes that the front-page lead paragraphs of the main story mention two highly-publicized cases of minority contracting abuses, one national allegation (Labor Secretary Ray Donovan, currently under criminal indictment) and one local (the conviction, on grand theft and attempted extortion of Mr. Charles Walker), neither of which case has any connection with the HRC.

Mr. Reiterman's series, Mr. Mickins said, studies the details of five years of cases in which the HRC has taken formal procedural action, as well as concentrating on the penalty process, which, Mr. Mickins pointed out, is not a criminal one insofar as the HRC's powers apply.

Reaction to the Examiner series has been swift. Supervisors Quentin Kopp, Nancy Walker, and Louise Renne on October 22 at the Board of Supervisors introduced legislation addressing such aspects as "front" minority business operations, stiffer penalties for abuses, and subcontracting by a minority subcontractor back to a white prime contractor.

- Associated General Contractors; Challenge to Chapter 12D.

A civil rights suit was filed October 24, 1984 by the AGC and five Bay Area contractor-members, seeking an injunction to keep the City from enforcing Chapter 12D, the Minority/Women/Local Business Enterprises Business Utilization Ordinance, which went into effect in August. A preliminary hearing October 24 was held before U.S. District Court Judge Thelton Henderson, who declined to issue a temporary restraining order, but set November 5 for hearing arguments for a preliminary injunction.

The lawsuit challenges the goals and set-asides provided on public works contracts for businesses owned by minorities and women, and the percentage preference allowed firms owned by minorities, women, and locally on bids for City projects.

No Report from the Chairperson

SPECIAL ORDER

The rest of the scheduled Agenda for the Regular Meeting was then postponed to November 8, and the HRC began the continuation of the Special Order Appeal Hearing as noted above.

The Appeal Hearing verbatim Minutes were taken by Court Reporter Lisabeth Carter, of Carter & Torno, Deposition Reporters. The Hearing began at approximately 9:27 AM, and, with one five-minute recess, lasted until 12:45 PM.

*****Before the Appeal Hearing convened, Commissioner Soler, following on Commissioner Morrissey's reiteration of his urging that the HRC procedures be altered to permit three or four, instead of eight, Commissioners to sit on Hearing Panels, suggested that at the next meeting the HRC explore his and other ideas for expediting the HRC's 'presently cumbersome" provisions in Chapter 12B, calling for a quorum of eight members in appeal proceedings.

Adjournment.

The next Special Order Appeal Hearing will be November 29 at a place to be announced later.

Respectfully submitted,

Grant S. Mickins Director
via Jack Casford

GSM:JC:bclp

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of Thursday,, November 8, 1984
Third Floor, Commission Room
Main Library
10:15 AM

NEXT MEETING
DATE: Thursday, November 29, 1984
(Note: the fourth Thursday of November, the regular meeting date, is Thanksgiving, a legal holiday.)

TIME: 9 AM
PLACE: Room 101, 525 Golden Gate Ave (between Van Ness and Polk).

NOTE:
See under Calendar Matters Section of these Minutes the schedules of the HRC's Regular Standing Committee Meetings.

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ROLL CALL

Commissioners

Present: Vice Chairperson Moulton (presiding), Thomas Ambrogi, Samuel Chung, Joe Jung, Phyllis Lyon,Larry Martin, John C. Morrissey, Nicerita Revelo, Sal Rosselli, Esta Soler, Rabbi Martin S. Weiner.

Excused: Corrine Lee, George Suncin, Brenda Wade, David K. Yamakawa Jr.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Bayard Fong, Don Hesse, Stanley Lim, Pansy Ponzio Waller, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of October 18, 1984 approved with one correction:

On Page 2, under Director's Report, "California Association of Human Rights Organization (CAHRO) Conference. , first line, it should be that the San Mateo County (not City) Human Relations Commission will be the co-host, with the San Francisco HRC, of this annual conference, in San Francisco, in May of 1985.

Minutes of October 25, 1984 approved.

- From Gregory W. McClune, Attorney for Mount Zion Hospital, notice of an Appeal from the September 25, 1984 Director's Finding involving a complaint by William Ribner v. Mount Zion Hospital, and requesting a show cause hearing.

- From John L. Taylor, Clerk of the Board of Supervisors, through Roger Boas, Chief Administrative Officer, to Director Mickins, Robert Tecco, City Purchaser, George Agnost, City Attorney, and Arlo Smith, District Attorney, requesting that they be prepared to testify before the Civil Service and General Administration Committee of the Board about contract procedures with regard to award of contracts to minorities and women. Supervisors Louise M. Renne and Willie B. Kennedy had initiated this inquiry.

- From George Agnost, City Attorney, and Phillip S. Ward, Chief Trial Deputy, requesting that the Director prepare a list of contractors "that we can convincingly demonstrate" violated the MBE ordinance.

- From Anni Chung, Executive Director, Self-Help for the Elderly, and Irene Collier, Executive Director, Wah Mei School, inviting all friends and supporters to attend the public viewing of two pandas from China currently at the San Francisco Zoo, and there to purchase T-Shirts whose sale proceeeds benefit both Self-Help and Wah Mei.

- From Mayor Feinstein, a Departmental Memorandum following up on the 1984 Managerial Excellence Awards luncheon.

- From Thelma Kavanaugh, Solicitations Committee, and Rebecca Stark Treasurer, Senior Escort-Outreach Program of the San Francisco Police Department, soliciting contributions to the program to adapt vans for use by the frail elderly.

DIRECTOR'S REPORT

- Mayor's Letter Reviewing the 1983-84 Management by Objectives (MBO) Performance of the Human Rights Commission.

Director Hickins read excerpts from this four-page letter (a copy of which was sent City Purchaser Robert Tecco) commenting on the MBE performance in such areas as: monitoring of City contracts, monitoring of City Affirmative Action employment achievements, staff administration, mediation of discrimination complaints, investigation of instances of housing discrimination, mediation of community disputes, investigation of discrimination based on sexual preference, etc.

The Mayor noted that participation by minority and women contractors was greater than targeted (goals for future performance are set in each MBO report to the Mayor), and that there was a slight increase in employment of women and minorities by City contractors. She noted a better performance in the resolution of official discrimination complaints against City contractors, and that of a total of 920 discrimination complaints investigated, 84% of them (complainants) were satisfied by the outcome. The Mayor cited the increased statistics of HRC staff investigation of housing discrimination complaints (503 in the fiscal year, 7% more than in the previous year).

Two contract monitoring functions, the Mayor wrote, concern her:

- More extensive measures of the MBE/WBE verification process, including the percentage of MBE/WBEs found to be fraudulent and the time it takes to verify MBE/WBE status.

- Efforts of the HRC to assist other City departments with the implementation of the new MBE/WBE ordinance.

Overall, the Mayor said that the HRC's "performance made during 1983-84, reflects several significant achievements," and she called it a "landmark year" during which the MBE/WBE legislation was adopted.

- -Commissioner Morrissey suggested that all members of the HRC and press media be sent full copies of the Mayor's letter.

- After the Director's discussion of the highlights of the Mayoral review of the HRC MBO performance, the Commissioners commented at some length on the need for the HRC to take steps immediately to recommend actions legislatively to increase the efficiency of their hearing processes and expedite them.

Commissioner Soler had suggested such action at the HRC's October 25 meeting, and Commissioner Morrissey had proposed such changes as lowering the number of Commissioners needed to hold a show cause hearing in 1983.

The Director noted that a letter requesting that the City Attorney address this concern had been only recently acknowledged some 18 months after the HRC had sent it. He said he expected to have, by November 29, a document drafted by Deputy City Attorney Judith Boyajian with recommendations on this action as requested.

*******Further discussion of actions the HRC could take to prepare its specific recommendations to and with the City Attorney was referred to the next meeting of the Administrative Committee Thursday, November 15, at Noon in Director's Office at the HRC offices.

- Proposed Amendments to the Rules and Regulations for the Minority/Women/Local/Business Enterprises Chapter 12D of the San Francisco Administrative Code.

The Director distributed copies of these Proposed Amendments, and discussion and actmon were postponed to the New Business section of these Minutes.

- San Francisco Examiner Series on Minority/Women Business Enterprise and the HRC---Followup Meeting with Examiner.

Director Hickins, Commisisoner Morrissey, and Stanley Lim, of the HRC staff, met October 26 with David Halvorsen, Editor, and Tim Reiterman, Investigative Reporter, of the Examiner, Mr. Reiterman was was the author of a series of articles in the Examiner that ran October 21 through 25 on the MBE/WBE program, with allegations of City contract monies going to minority "front" firms for majority contractors.

Mr. Hickins said that the discussion included presentation of the HRC's position as outlined in its initial response letter to them on October 23 that a number of points in the stories were inaccurate, misleading, and incomplete.

During the running of the series the Examiner also carried the news that the Associated General Contractors of Northern California had filed for a temporary restraining order in federal District Court charging that the MBE/WBE ordinance (Chapter 12D) was unconstitutional. See below.

The Examiner also, on November 2, 1984, editorially called for "lowering the percentage" goals for minority and women-owned firms to "not more than one-fourth of all city contracts, so as not to strain credibility."

* Vice Chairperson Moulton asked that the record show that she regretted that she had not been contacted regarding the meeting with the Examiner officials. Noting that Chairperson Wade is on maternity leave, Commissioner Soler concurred.

The Commissioners were reminded that they had all been sent copies of the Director's response letter to the articles on October 23, and that the Examiner articles had been the subject of discussion at the meeting of October 25.

- Associated General Contractor's Lawsuit

On October 24 (during the series of Examiner articles on the MBE/WBE program), the Associated General Contractors of California filed a suit seeking a temporary restraining order in U.S. District Court, alleging that Chapter 12D denies equal access to contracts solely on account of race, and challenging City enforcement of Chapter 12D. The temporary restraining order was denied and a preliminary hearing set for November 5

Mr. Hickins announced that at the preliminary hearing November 5, Judge Thelton Henderson denied the contractor's suit (application for a preliminary injunction) and its claims of violation of Constitutional due process and equal protection and of the City Charter by Chapter 12D. The Court directed the City Attorney's Office to prepare, within 15 days of issuance of his ruling, the Court Order containing the Findings of Fact and Conclusions of Law.

The Director said that this was an historic decision for the City, the HRC, and for the MBE/WBE ordinance. Though this is not a final ruling, the HRC has prevailed, he said, at an important stage of the litigation.

*****It was m/s/c to accept the Director's Report. The vote was unanimous.

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES

- The Employment Committee Co-Chairperson, Esta Soler, agreed to defer the Agenda order as published to permit the HRC's invited guest , Ms. Elvie Whitney, to make her presentation.

SOCIAL ISSUES AND POLICE LIAISON
Commissioners John C. Morrissey and David K. Yamakawa Jr-Co-Chairpersons

- Recommended Adoption of the Resolution of Support of the No Sales of Alcohol to Minors Task Force-Guest : Ms. Whitney, Director of San Francisco Prevention Project.

Members of the HRC had been provided in advance of this meeting with the draft of the recommended Resolution for their study. The material included a reference sheet giving the sources for the statistics it contained.

Ms. Whitney said that the Prevention Project, which is based at San Francisco General Hospital in the Trauma Center Foundation, is about three years old. It is funded through the Department of Public Health's Community Substance Abuse Services' Division of Alcohol Programs. It has a small professional staff, assisted by volunteers. Annually a series of workshops sponsored by the Foundation is held, and it was out of the 984 series that the No Sales of Alcohol to Minors Task Force was created. It presently has some 25 members from public and private agencies, law enforcement officials, educators, parents, service agencies. and a representative of the state Alcoholic Beverage Control Department.

Ms. Whitney said that there is strong evidence(and the Resolution cites statistics) that there is a significant increase in the use and abuse of by minors. Part of the problem is the apparent failure of merchants selling alcohol to abide by statutes forbidding sale to minors. The stress at this point is on compliance with these laws. Ms. Whitney said that there are other factors in the problem, including the availability of alcohol in many homes, and the use of friends who act as agents to buy alcohol for minors.

The Task Force seeks to obtain voluntary compliance by merchants through direct contact with their associations, urging that they post signs saying no alcohol may be purchased by those under 21, and they aim at a broader media/public education campaign. She said that alcohol was currently the No. 1 contributor to a number of major health problems in the United States, including cirrhosis of the liver, heart problems, etc.

Ms. Whitney cited some of the statistics from the draft Resolution such as:

1. Half of all teenage deaths are alcohol-drug-related.

2. In 1981, San Francisco police arrested 265 juveniles for alcohol violations, over 75% of which involved the illegal purchase of alcohol.

3. That same year, more than two-thirds of the arrests made by the ABC involved the sale of alcohol to minors.

Ms. Whitney said the organizations thus far fromally endorsing the aims of the Task Force include the Mayor's Criminal Justice, the Juvenile Justice Commission, and the Citywide Alcoholism Advisory Board.

It was then

*****m/s/c that the HRC adopt the Resolution of Support for the No Sales of Alcohol to Minors Task Force. The complete text of that Resolution, with the statistics-reference addendum, is attached to these Minutes.

EMPLOYMENT
Commissioners Esta Soler and Corrine Lee--Co-Chairpersons

- Statement of Objectives and Priorities.

With one minor rewording suggested by Commissioner Morrissey,

It was

******m/s/c that the HRC accept the Employment Committee Statement of Objectives and Priorities FY 84-85.

- Standardized Format for Staff Reports-Stanley Lim

After study by the Employment Committee in great detail, this document was sent to all Commissioners for their perusal. The document specifies how staff reports are to be prepared, with guidelines and examples for professional staff to follow. It sets forth what shall be contained in the summary, the body of the report itself (eg., introduction, analysis, comparisons, problems identified, conclusions and recommendations, attachment, etc)., the use of standard ethnic identifications, and additional recommendations on format and style of writing.

It was then

******m/s/c that the HRC adopt the Standardized Format for Staff Reports.

- I. Office of Revenue Sharing Compliance Agreement--Final Report

and

II. Civil Service Commission Affirmative Action Plan and Utilization Analysis Update-Frank Anderson, Coordinator

- This six- page narrative report examines and analyzes the final phase of the implementation of the 1979 Compliance Agreement between the federal Office of Revenue Sharing and the City and County of San Francisco, by which the City agreed to a massive review and revamping of its selection and promotion procedures, as well as to conduct intensified recruitment aimed at the Hispanic and other minority communities (the Agreement grew out of a complaint filed in 1978 by Latinos for Affirmative Action, a San Francisco based group.) The Agreement was originally to cover four years. It had a one-year extension.

The HRC, under Ordinance 455-79, and in connection with the Consent Compliance Agreement, was to:

- act as liaison with community groups, the Office of the Mayor, Civil Service Commission, etc. to encourage communication and information flow.

- provide technical assistance to City departments on affirmative action.
- give advice on policy matters relating to the ORS Agreement.
- provide a member (Mr. Anderson) of a three-member Employment Discrimination Hearing Board, in association with the Mayor's Office and Civil Service Commission.

Mr. Anderson's report gave statistics covering the offical reporting period of January through June 30, 1984, in minority group apppointments, transitions, separations, etc. In his conclusion, Mr. Anderson said that the data reflected in this and the past two years' reports gives positive and continuing evidence of a trend toward the increased utilization of minorities and women in every stratum of the City workforce. There has been improved integration at all levels, he said, but the City remains pledged to continue toward the objective of a fully integrated workforce.

In his report on the Civil Service Commission Affirmative Action Plan and Utilization Anaylsis Update, Mr. Anderson cited the adoption of it on September 17, 1984, noting that it contains some 1,000 pages and addresses ten major subject: equal employment opportunity, designation of responsibilities, significant accomplishments, historical documentation, utilization analysis, identification of problems, goals and timetables, affirmative action steps, affirmative action program evaluation, and dissemination. He then went into detail about a number of these subjects, focusing on areas of eligibility lists, complicated and inconsistent application procedures, and complicated and slow certification processes, and he made recommendations for correction or alleviation of these problems or noted how they had been improved. The certification process, he reported has been stremlined with the CSC's computerized tracking system.

In the Civil Service workforce composition as of June 30, 1983, the breakdown was: White, 48.7%; Black 22.2%, Hispanic, 9.2%; Asian, 11.5%; Filipino 7.9%; American Indian 0.4%. The male employees were 63.9% of the total; the female, 36.1%. Black employment has continued at more than 20% for the past ten years, although the labor force availability of Blacks in the City is 9.9%. Mr. Anderson reported that despite this "overutilization," Blacks are still below labor force parity in professional positions, showing a need for upward mobility and training programs.

Hispanics, on the other hand, although having made progress in every occupational group, remain underutilized in all categories except office/clerical and service/maintenance. Asians in the City labor force increased significantly between 1970 and 1980, from 10.6% to 15.3% in 1980. Mr. Anderson's report states that additional recruitment efforts are needed, especially for applicants in the job categories of protective service, officials and administrators, skilled craft, and service/maintenance.

The long-range affirmative action goal of the City is to achieve a workforce reflective of the minority and female available labor market in all occupations. All Civil Service classifications have been examined for current utilization, and where underutilizations have been identified, numerical goals have been established. Utilization analysis and goals are on a five-year timetable for achievement, the report stated, with annual review, which considers such possible adjustment factors as expansion or contraction of the workforce, staff turnover, labor market changes, etc.

Mr. Anderson responded to questions from the Commissioners following his presentation.

It was then

*****m/s/c to accept the final report on the Office of Revenue Sharing Compliance Agreement, and the report on the Civil Service Commission Affirmative Action Plan and Utilization Analysis Update, with thanks to Mr. Anderson.

* At the suggestion of Commissioner Chung, discussion of the possibility of the inclusion of Lesbians and Gays as part of the City's minority workforce was referred to the Lesbian/Gay Advisory Committee.

- San Francisco Human Rights Commission Affirmative Action Program (for) Architecture/Engineering (A/E) Consulting Contracts (Revised)-Bayard Fong, Contract Compliance Representative.

Mr. Fong went through this detailed program document, which consists of eleven narrative pages detailing how Affirmative Action is implemented, plus ten pages of sample forms that are used by prime consultants and sub-consultants, and by firms by seeking MBE/WBE/LBE certification. This program was written originally in 1969, with amendments in 1972, 1974, 1975, 1976, 1979, 1980, 1981 and 1982. He showed where additions and changes have been made.

Following Mr. Fong's presentation, Commissioner Morrissey reiterated his long-standing opposition to making a distinction for "small" minority businesses, and noted that in the new Affidavit, Form 3 (MBE/WBE/LBE Certification Form) six definitions are listed for self-identification, including small minority business enterprise, and small woman-owned business enterprise. It was noted that Chapter 12D includes the distinction for small businesses.

It was then

*****m/s/c that the HRC approve the Affirmative Action Program (for) Architecture/Engineering (A/E) Consulting Contracts. The vote was unanimous.

- Vicky Rathbone, HRC Contract Compliance Officer, who for many years worked closely with architects and engineers in the Affirmative Action Program, at this point introduced Mr. Wilbur Chinn, President of Signet Testing Laboratories, and currently President of the Society of Asian and American Architects and Engineers. Mr. Chinn said that he wished to thank the HRC for making (contract participation) possible for all minority design professions.

LESBIAN/GAY ADVISORY COMMITTEE
Commissioners Phyllis Lyon and Sal Rosselli-Co-Chairpersons

- Committee Report-Commissioner Lyon.

At its regular meeting October 16, 1984,the Committee:

1. Heard a report from Jackie Winnow, staff to the Committee, that the Mayor vetoed the Sexual Privacy Ordinance, the Anti-Bias Ordinance, and the funding request by the Community United Against Violence to establish a Polk Street office, Additional action at the Board of Supervisors is expected, however, on all these issues, said Commissioner Lyon.

2. Heard from Michael Carillo Hall of the Golden Gate Business Associations Task Force of his organization's actions to meet specific recommendations that arose out of the HRC's November 7 and 21, 1983 public hearings to discern the extent of allegations of discrimination in hiring and employment practices of Lesbian and Gay-owned businesses. Commissioner Lyon said that the Golden Gate Business Association is indeed making a "great good faith effort" in working both internally and externally with other businesses.

3. Heard from Carmen Vasquez, of the Women's Alliance Against Oppression group, on her trip to Nicaragua and meetings with Nicaraguan women's political organizations there.

4. Heard from Gary Titus, Coordinator, AIDS Activity Office, Department of Public Health, on the specifics budgeted within the Department's AIDS-related supplemental funding request to the Mayor. The Committee wrote the Mayor urging that she expedite action on this request.

5. Discussed the closure by the Department of Public Health of bathhouses (as part of the controversy over measures to try to control the AIDS health crisis), and authorized that the letter be written to Chief Administrative Officer Roger Boas expressing outrage over the closure of bathhouses action.

- The Committee also welcomed Commissioner Sal Rosselli who has been named the co-chairperson of the Lesbian/Gay Advisory Committee.

- It was announced that the Lesbian/Gay staff at the HRC will be holding a fund-raising Open House in its new Office (Room 505) on Thursday, November 29 from 5 to 7:30 PM.

Included in the packets for the Commissioners were the Committee's Goals and Priorities for Fiscal Year 84-85, and, after a brief discussion of them by Jackie Winnow, it was

*****m/s/c to approve them. The vote was unanimous.

NEW BUSINESS

- Combined Health Agencies/Environmental Federation of California Fund Drive.-Stanley Lim, Chairperson.

Mr. Lim distributed pledge cards to the members of the HRC for their participation in this annual drive which he chairs for the HRC. This year, donors may designate Combine Health Agencies or the Environmental Federation of California.

- Commissioner Lyon read in full a letter of commendation to Gail Roberts, of the HRC staff, from the Commission on the Status of Women, which held a fund-raiser reception in the Rotunda of the City Hall on November 2.

- Director Mickins announced that Ms. Roberts had been one of the nominees for the 1984 Managerial Excellence Awards. A luncheon honoring these nominees was held by the Mayor's Fiscal Advisory Committee October 25 at the St. Francis Hotel.

- Rules and Regulations-Chapter 12D of the San Francisco Administrative Code-Minority/Women/Local Business Enterprise--Two Proposed Amendments.

Director Mickins circulated copies to each Commissioner of the Proposed Amendments to these Rules and Regulations. They were:

1. to Section III RESPONSIBLITIES (B) Responsibilities of all Departments 4. Bid Preferences: after the first paragraph, insert: To promote minority and women participation in joint ventures, the 5% (five percent) bid preferences will be awarded whenever minority and/or women interest in a joint venture equals or exceeds 35% (thirty-five percent).

2. to Section V SANCTIONS add: F. Findings of Fraud on the Part of Bidders

1. Where the Director has reasonable cause to believe that a bidder has misrepresented its status as an MBE,WBE, or LBE, the Director is empowered after an investigation to advise awarding authorities of the ineligibility of a bidder to receive an award on the grounds that the bidder has misrepresented its status (as an MBE, WBE, or LBE), and may direct that the awarding authority declare such bidder not responsive.

After discussion of these proposed amendments by Director Mickins, it was

*****m/s/c to adopt them. The vote was unanimous.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, November 29, 1984 at 9 AM (preceeding the continuation of the Appeal Hearing in re: Charles Perkel, SEIU Local 77 v. American Airlines, Pacific Southwest Airlines, Western Airlines et al., & World Services, Inc). at 525 Golden Gate Avenue, Hearing Room 101.

STANDING COMMITTEES

Administrative	Thursday, November 15, 1984 Noon HRC Offices, 1095 Market
Employment	Thursday, December 6, 1984 9:30 AM 1360 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, November 20, 1984 5:30 PM Room 1200, State Building, 350 McAllister

Standing Committees cont'd

HOUSING AND URBAN DEVELOPMENT	To be announced.
SOCIAL ISSUES AND POLICE LIAISON	Wednesday, November 14, 1984 3 PM Room 503, HRC Offices, 1095 Market
YOUTH AND EDUCATION	Thursday, November 15, 1984 3:45 PM Ella Hill Hutch Community Center 1050 McAllister, Room C 921-5276

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp
11/20/84

City and County of San Francisco

Human Rights Commis
Office of Contract Complia
Office of Dispute Resoluti

HRC RESOLUTION OF SUPPORT TO THE
NO SALES OF ALCOHOL TO MINORS TASK FORCE

WHEREAS, the regular use and abuse of alcohol by minors in San Francisco and the Bay Area is becoming a major social problem; and

WHEREAS, a study in 1978 in San Francisco found that sixty-six percent of youth in the fourth grade had consumed alcohol at least once, and forty-five percent of the same group considered themselves to be current users of alcohol; and

WHEREAS, from January 1983 to June 1984, 195 youth (ages 13-20) received counseling and treatment for alcohol abuse in San Francisco's public service outpatient programs; and

WHEREAS, from 1982 to 1984, 200 youth (ages 12-18) in the Bay Area were admitted to a private adolescent care unit for the treatment of alcohol problems; and

WHEREAS, The Suicide Prevention Center received 732 calls regarding the 0-17 age group, in the categories of mental health, suicide and drug problems during 1982-1983. The most mentioned drug use by youth in these categories was alcohol; and

WHEREAS, 1 of every 3 United States teenagers has ridden with a drunk driver who was their age, and 2 of 3 (67%) of American teens have used alcohol before their 16th birthday; and

WHEREAS, half of all teenage deaths are alcohol/drug related; and

WHEREAS, every five seconds a teenager has an alcohol/drug related traffic accident; and

WHEREAS, alcohol was found in the blood of 58 percent of the teenage drivers killed in traffic accidents in the United States in 1980 and 43 percent had enough alcohol in their blood to be legally drunk; and

WHEREAS, during the fiscal year 1981-1982, the Department of Alcoholic Beverage Control in the San Francisco District heard 19 protests and 331 complaints, 29 of them from the police. Investigations resulted in 180 arrests, 39 warnings, and 69 accusations (formal charges against an outlet). Out of all the arrests made, 123 involved the sale of alcohol to minors; and

WHEREAS, in 1981, the San Francisco police arrested 265 juveniles for alcohol violations, over 75% of which involved the illegal purchase of alcohol; and

WHEREAS, in 1981, more than two-thirds of the arrests made by the Department of Alcoholic Beverage Control involved the sale of alcohol to minors; and

WHEREAS, the San Francisco Prevention Project's No Sales of Alcohol to Minors Task Force seeks the cooperation and assistance of merchant and neighborhood associations, community groups, service agencies, and owners in obtaining strict control over the sales of alcohol to minors;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission of San Francisco formally support the efforts and objectives of the No Sales of Alcohol to Minors Task Force, which are as follows:

(a) to work cooperatively with local merchant associations to gain their voluntary support to post signs and to educate their members regarding their civic and legal responsibility of complying with regulations of not selling to minors.

(b) to receive individual citizen and group complaints regarding stores alleged to sell alcohol to minors and to turn complaints over to legal investigative authorities, such as the San Francisco Police Department and the Alcoholic Beverage Control.

(c) to follow through on complaints received as to the nature of their disposition and the court action taken.

(d) to broaden and encourage community support by having concerned citizens become better informed and alert to issues in their neighborhoods and to request compliance from their merchants and merchant associations.

(e) to promote public awareness of the negative effects of sales of alcohol to minors through the media, newspaper and public speaking engagements, as well as through the distribution of educational material to schools, churches, civic and social groups.

And, furthermore, to encourage other community agencies, groups and organizations as well as individuals to respond to their appeal for cooperative actions.

####################

Resolution 5-84
Adopted by the HRC 11/8/84

Reference Sheet for Resolution

Resources: (paragraphs relate to the number on resolution reference sheet)

1. White, Jenny, "Alcohol Abuse and Alcohol Related Problems in San Francisco."
2. Report on Outpatient Services Provided, San Francisco County Division of Alcohol Programs.
3. Statistics, Peninsula Hospital and Medical Center, 1984.
4. Statistical Report, San Francisco Suicide Prevention, 1984.
5. Gallup Adolescent Drug/Alcohol Study, Marshal Hale Hospital Report.
6. Gallup Adolescent Drug/Alcohol Study, Marshal Hale Hospital Report.
7. National Federation of Parents for Drug Free Youth Report, 1982
8. California Highway Patrol Report.
9. California Department of Alcoholic Beverage Control, Activity Report 1981-1982.
10. California Department of Alcoholic Beverage Control, Activity Report 1981-1982.
11. California Department of Alcoholic Beverage Control, Activity Report 1981-1982.

City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

Minutes of the Meeting of Thursday, November 29, 1984
Room 101, Department of Industrial Relations Building
525 Golden Gate Avenue
9:00 AM

This regular meeting preceded the Special Order Appeal Hearing continuation in the Janitors at the Airport case.

NEXT MEETING

DATE: Thursday, December 13, 1984
TIME: 10:15 AM
PLACE: Third Floor Commission Room
Main Library, Third Floor

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NOTE:

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners:

Present: Brenda Wade (presiding), Thomas Ambrogi, Samuel Chung, Joe Jung, Phyllis Lyon, Larry Martin, John Morrissey, Joan Zamora Moulton, Nicerita Revelo, Sal Rosselli, Esta Soler, George Suncin, Rabbi Martin Weiner, David K. Yamakawa Jr.

Excused: Corrine Lee

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Bea Cardenas-Duncan, Ed Ilumin, Stanley Lim, Richard Norton, Clemente Newball-Obregón, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Chris Van Stone.

Pledge of Allegiance

Minutes of November 8, 1984 approved with one correction:

On Page 5, under EMPLOYMENT, Statement of Objectives and Priorities, Commissioner Morrissey suggested that the wording "With one minor rewording suggested by Commissioner Morrissey" be clarified to show his rewording was the addition of two words to the first paragraph of the Employment Committee Statement, i.e., "To address the concerns of the San Francisco minority, woman and disabled communities with respect to non-discrimination and equal opportunity in employment and bring them to the attention of the Human Rights Commission either for action and/or education." The added words, accepted unanimously by the HRC, are underlined.

COMMUNICATIONS

- From the City Attorney, to the Clerk of Board of Supervisors, a Memorandum requesting certain formal information in Preparation of Legislation/Opinion, regarding ordinance (Chapter 12D) amendments introduced by Supervisors Kennedy and Ward, Walker, and Kopp.

- From John L. Taylor, Clerk of the Board of Supervisors, through Roger Boas, Chief Administrative Officer, notifying Director Grant S. Mickins (along with Robert Tecco, Purchaser, George Agnost, City Attorney, and Arlo Smith, District Attorney) that they will be asked to testify before the Civil Service and General Administration Committee of the Board about contract procedures with regard to award of contracts to minorities and women.

- From Wendy Nelder, President, Board of Supervisors, forwarding a Certificate of Honor for the HRC, which was read at the Twentieth Anniversary Reception, held in May, 1984. The Certificate was sent to Commissioner Lyon, who was Chairperson in 1983.

- From Edward K. Allison, of Graham & James, providing business tax amounts that Homer J. Olsen, Inc. an applicant for Local Business Enterprise certification, has paid 1978 through 1984.

- From Mara E. Rosales, Deputy City Attorney,a copy of a letter to John L. Taylor, Board Clerk, with copies to Supervisors Kennedy and Walker, clarifying her August 20, 1984 letter regarding the applicability of the Minority/Women/Local Business Enterprise Ordinance to contracts awarded by the Board of Supervisors.

- From Issac Arvie-Owner, Arvie & Son Construction Company, a copy of his letter to David Halvorsen, Editor, San Francisco Examiner,with copies to the Ocean Beach Outfall Constructors, the Clean Water Project, and Tim Reiterman, Examiner investigative reporter, commenting in detail on his objections and inaccuracies to the series of articles (published October 21 through 25) on minority contracting in the City, and specifically the mention of Arvie & Son Construction Company.

- From George Schlesinger, President, Kingston Construction, Inc., protesting an HRC decision that Kingston Contracting, Inc. is not a local business enterprise (LBE) pursuant to Section 12 D.3. (B) 3 of the City Administrative Code.

DIRECTOR'S REPORT

- Chapter 12D---MBE/WBE/LBE Ordinance---Implementation.

The HRC has notified all City departments that copies of all bids, contract documents, Requests for Proposals, or soliciations or advertising for contracts are to be submitted to HRC staff members, presently based in Room 270 the City Purchasers Office, in City Hall, on a regular basis at least ten day prior to closing,during which minority and women-owned firms may participate in the bidding process.

-----A registry is being compiled of all such bid information as cited above, to be issued on a bi-weekly basis to the greatest general number possible of minority and women-owned business enterprise communities.

-----Nominations for the MBE/WBE Community Advisory Committee are being sought and the suggestions of the HRC members solicited. See below.

- Changes/Amendments to Chapter 12B

See below under Administrative Committee. The Director announced that this action for revision of the Rules of Procedure for Chapter 12B, relative to appeal procedures and Quorum definitions, is not quite ready for presentation and action. The City Attorney had submitted a draft for Administrative Committee review.

REPORT OF THE CHAIRPERSON

Chairperson Wade, who had been on maternity leave, resumed her post.

The Chairperson thanked Vice-Chairperson Moulton for presiding in her absence, and commended also the Standing Committee Co-Chairpersons and staff for their "very fine" Goals and Objectives statements for the new fiscal year. She suggested that staff people select one or two major goals for the coming year to concentrate on.

- Nominating Committee Appointments.

The Chairperson named the following Commissioners as the Nominating Committee to select a slate of candidates for officers for the HRC calendar year 1985 to be elected at the first regular HRC meeting in January:

Chairperson----Commissioner Lyon.

Members--------Commissioners Ambrogi, Lee, and Martin.

STANDING COMMITTEES

ADMINISTRATIVE
Joan Zamora Moulton, Chairperson

- Nominations for the MBE/WBE/LBE Advisory Committee.

The Responsibilities of the HRC, as specified in the Rules and Regulations (III RESPONSIBILITIES A. Responsibilities of Commission, 4.) governing Chapter 12 D of the Administrative Code, include the establishment of "... a community advisory committee of not less than 11 members appointed by the Commission, which will meet at least quarterly and on call of the Director."

The members of the HRC were asked to consider and submit their suggestions for nomination to this committee, considering business and minority and women business community experience.

Commissioner Soler suggested that in order to reinforce divergent community representation, at least six of the person named to the committee be from the minority business community, two from the minority/women business community, and three from the women business community.

The MBE/WBE/LBE Advisory Committee is to meet at least quarterly, as stated, and Director Mickins said it would require staffing.

*******Chairperson Wade then named Commissioners Moulton, Soler, and Yamakawa to serve as an advisory committee to the Director in making the selections for members of the MBE/WBE/LBE Advisory Committee. They will work through the Administrative Committee.

- Commissioner Moulton noted that all Standing Committees had submitted their formal Statments of Goals and Objectives except the Housing and Urban Development Committee. She urged that all Standing Committee members decide their priorities, with the assistance of staff.

- Recommended Amendment to Chapter 12A of the San Francisco Administrative Code.

The Committee at its November 15 meeting adopted a proposed amendment to Chapter 12A.4. (a) adding to the final sentence: "...except when Commissioners serve as hearing officers, in which case they will be reimbursed at the per hearing rate used by the Rent Stabilization and Arbitration Board."

The per hearing hourly fee is $20.00. The Board is the only other City Agency, it was reported, that has hearing officers.

It was then

******m/s/c that the HRC adopt the amendment to Chapter 12A.4. (a) as stated above. The vote was unanimous. Director Mickins announced that that the HRC will ask the City Attorney to draft the amendment in formal language for submission to the Board of Supervisors for action.

- Fiscal Year 1983-84 MBE (Management-By-Objectives) Performance.

This presentation was postponed to the December 13 regular HRC meeting.

- Recommended Revision of the Rules of Procedure for Chapter 12B.

Action on this item was postponed to the December 13 regular HRC Meeting.

- Summary of City Department's MBE/WBE Utilization Plans--Fiscal Year 1984-85--Stats as of 11/21/84.

LESBIAN/GAY ADVISORY COMMITTEE
Phyllis Lyon and Sal Rosselli, Co-Chairpersons

- Recommended Approval of Report on Sexual Orientation Discrimination, Fiscal Year 1983-84, prepared by Eileen Gillis, Lesbian/Gay Community Specialist. This action was on the agenda in conjunction with the Employment Committee--- Eileen Gillis.

Ms. Gillis briefly reviewed this document, which consists of eights narrative pages, and two appendices, one with statistical evaluation figures, and one with case histories.

In FY 1983-84, 123 complaints were received and investigated by the HRC's Lesbian/Gay Unit. The HRC is the only agency of its kind with assigned full-time staffing to process sexual orientation discrimination complaints. The empowering legislation is Article 33 of the of the Municipal (Police) Code.

The Report, Ms. Gillis said, is intended to provide documentation to support the re-introduction of Assembly Bill 1 into the California. Legislature in 1985. This measure, which would make sexual orientation discrimination in employment illegal statewide, passed the California Legislature in the 1984 Session, but was vetoed by Governor Deukemejian. The Governor's veto statement said that one factor was that he saw no "compelling evidence" of widespread sexual orientation employment discrimination in California.

The Report's narrative section discusses in detail the HRC's technical assistance function (four to ten requests received daily), plus advisory and referral services. The investigated compalints fall into one of three categories, generally: informal, formal, and official.

The 123 complaints received in FY 1983-84 represent a 41% increase over the 87 cases reported in FY 1982-83. In FY 1981-82, only 62 cases were recorded.

Ms. Gillis' report stressed that the significant increase in her caseload is attributed by staff to an increased awareness in the Lesbian/Gay community that laws exist protecting them, and that the HRC has remedial resources available to them. Sexual orientation is not only a protected category of the HRC in Chapter 12B of the Administrative Code, but is also of course specifically covered in Article 33.

The Unit made a special outreach effort to minority community embers, but in FY 1982-83 there were no complaints brought by Asian, Filipino, or American Indian Lesbians or Gay men, but this was markedly improved in FY 83-84. One explanation offered in the report for the fact that primarily white males bring sexual orientation complaints is that white males trust and use the administrative complaint system more readily because, as a result of holding majority cultural privilege due to their sex and race in American society, they are familiar with the sytem's complexities, and therefore act with confidence to press their rights.

Of the 123 complaints discussed in the caseload processing section of the report, 115 were informal, 6 were formal, and 2 were official. The majority (81%) were categorized as employment-related, with housing, public accomodations, and sex discrimination the other major categories.

Problem areas are identified in the report, including the need for special outreach to groups under-represented in the complaint load. At the present time, it says, staff is working with Supervisor Harry Britt to amend Article 33 in ways that can be implemented to allay some of the limitations in the enforcement powers of the HRC.

Special analysis is given in the report of AIDS-related complaints, with two major problem areas: lack of provision of proper healthcare services, and an increase in discrimination complaints from persons with AIDS, or who are "perceived" as being AIDS victims. The latter suffer housing denials, threats of job dismissal, or actual firings.

For the future, Ms. Gillis emphasized that the Unit continues to step up its supportive work in statewide lobbying and documentation towards passage of AB 1, to widen and improve its outreach services, to prepare a statewide conference on Lesbian/Gay legal issues, and to continue working with the Department of Public Health and the AIDS Foundation on addressing the continuing special needs of AIDS victims.

It was

******m/s/c that the HRC approve the Report on Sexual Orientation Discrimination, FY 1983-84, HRC Lesbian/Gay Liaison Unit.

- Committee Report----Commissioner Lyon.

- The Tavern Guild will be invited to the next Committee meeting to discuss suggestions for further implementing the recommendations of May, 1984, public hearings on Employment and Hiring Practices of Lesbian/Gay Businesses, specifically regarding race, color, national origin, and ethnicity.

- The Committee intends to dtudy the reliability of statistical data regarding a recent commissioned study evaluating demographics of the Gay male population of San Francisco for the S.F. AIDS Foundation.

- The Lesbian/Gay Liaison Staff will be hosts of an Open House on November 29 from 5 to 7:30 PM in the new, larger office, Room 505, at the HRC Offices, 6095 Market Street. The event will also be a fundraiser.

YOUTH ANE EDUCATION

Nicerita Revelo and Rabbi Martin S. Weiner
Co-Chairpersons

- Committee Report---Assessment of Public Forum Co-Sponsored by the HRC with the San Francisco Unified School District October 24, 1984 on the Implementation of the Consent Decree for School Integration--Beatrice Cardenas-Duncan

At the November 15 meeting of the Committee, members discussed the Public Forum and its findings, and responded to constructive criticisms, such as perceived minimal media coverage and some lack of adequate notification to all parents concerned. Overall, Ms. Cardenas-Duncan,said it is felt that the Public Forum did provide much information that was needed to concerned members of the community.

In early 1985, the Committee will foucs on specific section of the Consent Decree that did not get full covrage in the Public Forum.

Copies of a summary Memorandum from Anthony E. Ramirez, Coordinator, Division for Integration and Instructional Support, SFUSD, to Dr. Stanley A. Schainker, Associate Superintendent , listing the attendees and a list of all written questions submitted at the Public Forum, were distributed to the members of the HRC.

Commissioner Revelo commented that she felt the Public Forum had been most productive and successful and she complimented Beatrice Cardenas-Duncan for planning and coordinating it with the SFUSD.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, December 13, 1984 at 10:00 AM in the Third Floor Commission Room of the Main Library. The HRC meeting schedule for January through June of 1985 will be mailed to all Commissioners soon. All those meetings will be in the Third Floor Commission Room of the Main Library at 10 AM.

STANDING COMMITTEES

ADMINISTRATIVE	Wednesday, December 5, 1984 Noon, HRC Offices, Room 509
EMPLOYMENT	Thursday, Deeember 6, 1984 9:30 AM 1360 Mission Street, Second Floor
LESBIAN/GAY ADVISORY	Tuesday, December 18, 1984 5 to 8 PM Room 1202, State Building, 350 McAllister
HOUSING AND URBAN DEVELOPMENT	To be announced.
SOCIAL ISSUES AND POLICE LIAISON	Wednesday, December 19, 1984 3 PM Room 509, HRC Office 1095 Market
YOUTH AND EDUCATION	Thursday, December 20, 1984 3:45 PM Ella Hill Hutch Community Center 1050 McAllister, Room C 921-0276

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

The HRC adjourned at approximately 10 AM to begin the fourth Special Order, Continuation of Appeal Hearing in re: Charles Perkel, SEIU Local 77 v. American Airlines, Pacific Southwest Airlines, and World Services, Inc. (also known as the Janitors Airport Janitors case)

The eight Commissioners present for this Appeal Hearing were:

Commissioners Chung, Lyon, Martin, Morrissey, Moulton (presiding), Revelo, Suncin, and Yamakawa. This constituted the Quorum needed.

A Court Reporter, Lowell Torno, recorded the proceedings verbatim on stenotype.

At approximately 1 PM the Appeal Hearing was adjourned.

******The HRC ... voted unanimously (on motion of Commissioner Yamakawa) to postpone its decision on the case until it had time to study new documentary evidence introduced for the first time at this hearing by counsel. The review of this material will taken place on Thursday, December 6, at 9 AM at Room 1066, 350 McAllister Street, at 9 AM.

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City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

Minutes of the Meeting of Thursday, December 13, 1984
Third Floor Commission Room, Main Library
10:15 a.m.

NEXT MEETING:

The meeting scheduled for December 27, 1984 has been cancelled

DATE: Thursday, January 10, 1985
TIME: 9:30 AM
PLACE: Joe Jung's Restaurant
Fifth and Market
391 Market Street
Followed by luncheon as guests of Commissioner Jung.

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

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ROLL CALL

Commissioners

Present: Brenda K. Wade (presiding), Thomas Ambrogi, Samuel Chung, Joe Jung, Corrine Lee, Phyllis Lyon, John Morrissey, Joan Zamora Moulton, Nicerita Revelo, Sal Rosselli, Esta Soler, George Suncin, Rabbi Martin Weiner, David K. Yamakawa Jr.

Excused: Larry Martin

Staff:

Present: Grant S. Mickins, Frank Anderson, Beatrice Cardenas-Duncan, Jack Casford, Bayard Fong, Stanley Lim, Clemente Newball-Obregon, Richard Norton, Pansy Ponzio Waller, Gail Roberts, Mary Gin Starkweather.

Ms. Zula Jones, joining the staff as a Contract Compliance Representative working with the Port Commission contracting, was introduced and welcomed by the HRC.

Pledge of Allegiance

Minutes of November 29, 1984 approved.

COMMUNICATIONS

- From J. Thomas Cochran, Deputy Executive Director, United States Conference of Mayors, advising of services available to local governments for the next year under the small/minority business development program of technical assistance to local governments, operated the last two years by the Conference. The Conference provides City procurement technical assistance and assistance in the development of City-administered small/minority business (development) programs.

- From Richard W. Ploe, and Coni Staff, Co-Coordinators of the Lesbian and and Gay Ecumenical Alliance of the Bay Area, inviting HRC staff and members to a Christmas with the Family event on Saturday, December 22, at 6 P.M. at Trinity Church, Bush and Gough Streets, in the City.

- From Paula Champagne, of Littler, Mendeleson, Fastiff & Tichy, Attorneys at Law, advising she will be representing Mount Zion Hospital and Medical Center in an upcoming hearing before the HRC.

- From Mayor Feinstein, a copy of an inter-departmental Memorandum directing "all department managers and supervisory employees to refrain from questioning job applicants or employees on matters involving sexual privacy in an examination process or training program unless special circumstances exist and the use of the question has my written approval, and, if required by the Charter, has been approved by the Civil Service Commission."

- From Stanley K. Lim, a memorandum reminding that December 17 is the closing of the 1984 campaign for contributions to the Combined Health Agencies Drive (CHAD), and the Environmental Federation of California (EFC).

NO DIRECTOR'S REPORT

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES

ADMINISTRATIVE

HRC Vice-Chairperson Joan Zamora Moulton, Chairperson

- Recommended Revision of the Rules of (Appeal) Procedure for Chapter 12B.

Commissioners were provided a three-page document giving the complete recommended additions, deletions, and changes in Sections V. (SHOW CAUSE HEARINGS) and VI. (APPEAL HEARING) of the HRC's Rules of (Appeal) Procedure which spell out DEFINITIONS, what the filing of a COMPLAINT entails) (contents of complaint, time of filing, manner of filing, amendments, withdrawals,) the ANSWER and INVESTIGATION guidelines, etc. Deputy City Attorney Burk Delventhal prepared the revision. encompassing the wishes of the HRC as discussed at the Administrative Committee. A major change in the revision is the provision for a Hearing Officer to be named by Chairperson for a Show Cause Hearing, whereas formerly Show Cause Hearings were conducted by two Commissioners, with an "outside" member from one of the HRC Standing Committees with relevancy in any given issue. The Hearing Officer concept grew out of the prior Show Cause and Appeal Hearing requirements which became cumbersome and caused delays. The Hearing Officer will now, under the revision provisions, issued a written recommended decision to the HRC, which will be acted upon in not less than 20 days after service of it upon all parties. The HRC shall henceforth hear no live testimony, except as specified in the revisions (newly-discovered evidence, etc.)

Commissioner Morrissey at this point, noted that in the Procedures portion of the APPEAL HEARING section being revised, the phrase" or that the witness refused to testify before the Hearing Officer" appears as a condition when the HRC, not just the Hearing Officer, shall hear live testimony. The Commissioner said he was concerned that this might encourage witnesses not to testify before the Hearing Officer, which is contrary to the intent of the revisions, and he questioned the need for it.

- Director Hickins said he would bring this concern before Burk Delventhal of the City Attorney's Office.

After further discussion, it was

******m/s/c, unanimously, that the HRC adopt the Revision of the Rules of (Appeal) Procedure for Chapter 12B (Section V. and Section VI.) as recommended.

- Proposed Selection Procedure for HRC Hearing Officers.

This draft document was provided the HRC for its study. The proposed procedure covers Advertising, Screening, Hearing Officer Pool, and Compensation for Hearing Officers. Primary provisions of the draft document included: Qualification criteria shall be established by the Commissioners; applicants will be screened for qualifications including "ability to comprehend and apply equitable principles relating to employment discrimination and Minority & Women Business Enterprise Program compliance...". The Director and two Commissioners shall select at least seven candidates to constitute a pool of eligible Hearing Officers; and compensation shall be commensurate with rates paid by other City and County agencies.

Chairperson Wade asked Vice-Chairperson Moulton to describe the purpose of the Hearing Officer as discussed at the Administrative Committee.

Commissioner Moulton said that the guidelines established by the Administrative Committee subcommittee which considered the Hearing Officer Selection Procedures were:

- that he/she would hear testimony to see if a case existed;
- to hear evidence;
- to make a summary and submit it to the HRC;
- to determine if the HRC, or any other City agency or department, had jurisdiction.

The Committee felt, she said, that persons familiar with the intent of the MBE/WBE/LBE program should be sought. The Commissioner also said that the question of whether lawyers should or should not be sought as Hearing Officers was not discussed. Commissioner Lee had raised this point, saying that lay people "feel more comfortable with lawyers."

Commissioner Yamakawa urged that the qualifications criteria be drawn up as soon as possible, and, it was

*****m (Commissioner Morrissey) /s/c, unanimously that the Proposed Selection Procedure for Hiring Commission Hearing Officers be referred back to the Administrative Committee to establish qualifications criteria to be brought back as recommendations for HRC action.

- Commissioner Yamakawa requested that the Administrative Committee review the entire Proposed Selection Procedure document as the changes may affect it.

- Board of Supervisors' Amendments to Chapter 12D, Increasing Penalties for Fraud - Director Mickins.

Supervisors Kennedy, Molinari, and Ward are co-authors of an amendment, File 440-84/5, to Chapter 12D the MBE/WBE/LBE Ordinance, increasing penalties for fraud. The amendment provides that persons or corporations violating the Ordinance be prohibited from being awarded City contracts for a period up to five years, with a right to review and reconsideration after two years upon a showing of corrective action wherein the violation (s) are not likely to recur; to provide that a person bidding on a City contract be required to sign an affidavit before a notary stating compliance with the Ordinance; and to provide for contract sanctions against violators of the Ordinance, including, but not limited to, liquidated damages and loss of any net profits.

This amendment was passed for second reading by the Board of Supervisors on December 10 and is scheduled for second reading on December 17. This amendment was heard by the Civil Service and General Administration Committee on December 4, 84.

Director Mickins noted that this increases, from two years to five, the time sanction that may be imposed for violation of Chapter 12D. The amendments also, he pointed out, give the City Attorney the right to file suit for liquidated damages. (Liquidated damages are those damages flowing from the breach.)

The document giving the details of these amendments was provided for the Commissioners' information.

On the suggestion of Commissioner Lyon, it was then *****m/s/c that the HRC request that Chapter 12B, the Nondiscrimination Ordinance be re-drafted to encompass these Chapter 12D amendments. Director Mickins said that Mr. Delventhal of the City Attorney's Office already has indicated his willingness to draft such an updating of Chapter 12B.

- Commissioner Yamakawa requested that the Director group all the current standing revision and amendment changes the HRC is requesting of the Board of

- Request for Approval of City Departments' MBE/WBE/Utilization Plans for Fiscal Year 1984-85; Status as of December 11, 1984, a revision of the November 21, 1984 data - Frank Anderson, HRC Coordinator.

Following is Mr. Anderson's written report verbatim:

I. Summary of Report

This second interim report summarizes, to date, the status of City Department plans for compliance with Chapter 12D of the City Administrative Code (Ordinance 139-84), regarding City contracting with minority-owned businesses (MBEs) and women-owned businesses (WBEs).

The Ordinance requires each City department to prepare a plan on how it intends to comply, and to submit it to the HRC for review, evaluation, and certification.

The following report reviews the process for certification, including the status of each plan, statistical components, problems, and recommendations.

II. Introduction

The purpose of this report is to review and update the status of City department's MBE/WBE plans submitted to the Human Rights Commission for certification. Ordinance 139-84 (Chapter 12D of the City Administrative Code) was enacted in April of 1984 to encourage the participation by businesses owned and operated by minorities (MBEs) and women (WBEs), in contracts let by and through the City and County of San Francisco. This Ordinance requires each City department to prepare and submit a contract utilization plan to the HRC for evaluation and approval. Plans will be certified annually for a period of one year.

III. Analysis

Chapter 12D establishes minimum goals for each department which contracts for goods and services. Each department is required to set aside annually ten percent of all contract dollars for MBE contractors, and two percent of all contract dollars for WBE contractors. In addition, minimum goals of thirty percent of all contract dollars for MBE contractors and ten percent of all contract dollars for WBE contractors have been targeted.

The HRC requested all City departments to submit plans as required by the ordinance, using their best-known projections and/or last year's contract activity as a base for planning.

IV. Problems

Several common problem areas have been identified after a review and primary evaluation of the departmental plans submitted to the Human Rights Commission for certification. Although the designated personnel in most City departments appear to understand the basic concept of the MBE/WBE Ordinance, there is confusion in addressing the requirements of the Ordinance via the individual plans. Some of the plans are lacking in good format, content analysis and specifics in identifying and making reasonable projections. Also, generally there is insufficent information in detailing what corrective action steps will be undertaken in the outreach component. In addition, issues have arisen regarding the real as opposed to an adjusted base amount to be used, status of proprietary contracts, and various requests for contract waivers. All of these matters are being researched, reviewed and determinations will be made by HRC staff.

V. Conclusion and Recommnedations

Three of the primary problems to date in implementing this Ordinance are: unfamilarity of City personnel with the specifics of the program, due to the relative newness of the Ordinance; the minimum experience level of most City departments with an outreach program; and the limited time frame that was available to develop a plan and formulate a program.

It is recommended that HRC staff be instructed to do the following:

- - Refine major insufficient data.
- Certify plans to date that meet the minimum requirments.
- Approve waivers and provisionals where appropriate.
- Prepare an updated report on departmental plans for the January 24, 1985 HRC meeting.

Mr. Anderson pointed out that the Director has the authority alone to approve waivers and provisionals.

Mr. Anderson said that as of December 12, all City departments had submitted their utilziation plans, and that there was an urgency in responding to them with certification, pending HRC action on adoption of his report.

The Anderson report also included statistical tables showing, by City department, whether they had submitted a plan, the total amount of contracts they let, their MBE/WBE Set Asides, and Goals, and HRC Comments/Recommendations.

It was then

*****m/s/c to adopt (unanimously) the City Departments' MBE/WBE Utilization Plan and accept the Recommendations of the Administrative Committee

- Committee Report - Vice Chairperson Moulton

- Commissioner Moulton appealed for better attendance at meetings of the Administrative Committee, which launched a discussion of the setting of regualr meeting times. After discussion, it was

*****m/s/c (unanimously) that the Administrative Committee meet regularly following each regular HRC meeting, with the provision that special meetings can be called in addition, and that minutes be kept of its proceedings.

- Proposed Amendment to the Rules and Regulations, Chapter 12D of the San Francisco Administrative Code: MBE/WBE/LBE Ordinance.

This amendment, to Section III RESPONSIBILITIES (B) Responsibilities of all Departments 4. Bid Preferences; would add the following wording:

> To offset the higher cost of doing business in San Francisco and encourage businesses to locate and remain in San Francisco, the 5% (five percent) local bid preferences will be awarded whenever all parties in a joint venture are local businesses. To locate and remain in San Francisco, the 5% (five percent) local bid preferences will be awarded whenever all parties in a joint venture are local businesses. To promote local minority and women participation, the additional 5% (five percent) bid preference will be awarded whenever a local minority and/or women interest in a joint venture equals or exceeds 51% (fifty-one percent). Therefore, local minority and/or women businesses who joint venture with non local businesses and whose interest in that joint venture euqals or exceeds 51% and who joint venture with a local business receive 10% bid preference. However, local minority and/or women businesses whose interest equals or exceends 35% and who joint venture with a local business reeeive 10% bid preference.

Director Mickins discussed the problems that have arisen in implementing the new Ordinance, Chapter 12D, which have led to such amendments as the one under consideration, regarding joint-venture bid preferences. He stated also that certification of local businesses which joint-venture bid preferences. He stated also that the certification of local businesses which joint venture with outside firms has caused uncertainties, which is why the wording of this amendment was drawn up

After further discussion, it was

*****m/s/c (unanimously), with the insertion of the phrase "with nonlocal businesses" to adopt the Proposed Chapter 12D, Amendment to Section III (C) 4. Bid Preference: as quoted above

- Proposed Amendment to the Rules and Regulations, Minority/Woman/Local Business Enterprises, Chapter 12D of the San Francisco Administrative Code, Section III DEFINITIONS (Page 5)

A December 12 Memorandum from the Director was provided the Commissioners in their meeting packets, giving the text of this Proposed Amendment, which would add the following definition between those for "Minority Business Enterprise (MBE)", and "Ordinance":

> "Office" shall be defined as a fixed and established place where work is carried on of a clerical, administrative, professional and production nature directly pertinent to the business being certified and such office shall be generally recognized as a principal office of that company. A temporary location or movable property or one that was established to oversee a project such as a construction project office does not qualify as an "Office" for the purposes of this Ordinance.

Director Mickins said a second problem area developing over the implementation of Chapter 12D was certification of Local Business Enterprises, in particular large construction contractors, who often have headquarters out of the City and State. There are instances of these firms renting rooms or setting up temporary trailer facilities in the City, giving the HRC the dilemma of certification of LBEs, when there is evidence that major headquarters are not, indeed, local.

With the addition (suggested by Commissioner Weiner) of a clause "...and such office shall be generally recognized as a principal office of that company...", it was

*****m/s/c that the HRC adopt the Proposed Amendment to the Rules and Regulations, Minority/Woman/Local Business Enterprises, Chapter 12D of the San Francisco Administrative Code, Section II DEFINITIONS by adding a definition for "Office" as stated above.

The wording of this Proposed Amendment, Director Mickins said, was by Deputy City Attorney Mara Rosales.

*****Commissioner Weiner suggested that staff be asked to compile a summary of problems of a similar nature that the HRC is experiencing in implementing Chapter 12D, with commentary, and Gail Roberts of the HRC staff was asked to do this.

- Latino Community Concerns - Commissioner Moulton

These concerns grew out of a presentation at the HRC meeting of June 14, 1985 by Eddie Baca, Director of the Intergroup Clearinghouse. At that time Mr. Baca voiced five concerns he had about Latino participation in the internal workings of the HRC. Commissioner Moulton, following Mr. Baca's presentation, recommended that the HRC establish a Latino Committee as a Standing Committee of the HRC.

Eight Latino spokespersons, from various community organizations, including Herman Gallegos, plus Beatrice Cardenas-Duncan, Pansy Ponzio Waller, and Stanley Lim of the HRC staff, was present at the June 20, 1984 with Director Mickins and Commissioner Moulton for a discussion at the Administrative Committee as a followup to Mr. Baca's concerns and the suggestion of Commissioner Moulton.

At this December 13 meeting, Commissioner Moulton reminded the HRC that the Director had been asked to provide a working paper for the establishment of a Latino Committee as a Standing Committee. The Director said that because of the press of HRC affairs, including the Democratic National Convention and passage and implementation of Chapter 12D, the paper could not be given a high priority. There had been some concern about the HRC's power to unilaterally establish a permanent Standing Committee without Board of Supervisors action first. It was pointed that the Lesbian/Gay Advisory Committee was created by the Board because at the time there were no protections provided specifically for Lesbian and Gay people under the HRC Ordinances, and they were not a protected class under Federal Legislation.

*****Director Mickins stated he was committed to drafting a working paper on the issue of establishment of a Latino Committee as an HRC Standing Committee by the January 24, 1985 regular HRC meeting.

- The Employment Committee deferred its report at this time in order that the following presentation be made.

YOUTH AND EDUCATION

Commissioners Nicerita Revelo and Rabbi Martin S. Weiner, Co-Chairpersons

- Slide Presentation Black Adoptions - Art Tapia, President of the Board, and Margaret Brodkin, Executive Director, Coleman Children and Youth Services.

Mr. Tapia introduced the 10-minute slide-sound entitled, "Wanted: Adoptive Homes for Black Children", presentation by stating that 53% of the children available for adoption in the Bay Area are Black, and that until recent steps were taken

to do so, there has been little effort to facilitate the placement of Black children with Black parents. He said the slide presentation had been prepared by the staff of Coleman, Alice Washington, who has established the Black Adoption Placement and Research Center based in Oakland, was a collaborator. The Center, Coleman Children and Youth Services, and the Adoptions Program of the San Francisco Department of Social Services are cooperating in showing it and urging others to do the same as part of their networking through churches, private and public social agencies, and the like.

Following the showing of the slides, Mr. Tapia and Ms. Brodkin said that there were requesting that the HRC:

- support continuation of dispersal of information about changing adoption policies and procedures, especially those pertinent to the adoption of Black children, and the removal of some of the old barriers.

- Adopt a letter of endorsement to the Department of Social Services, to Lillian Johnson, Assistant Director, Family and Children's Services; and

- encourage the Youth and Education Committee to include this issue in its regular activities.

Mr. Tapia distributed informational folders from the DSS Adoptions Program and the Black Adoption Placement and Research Center.

The narrative portion of the slide presentation stated that there are some 400,000 Black children in the United States who are in foster care, with a majority of the 6,000 foster care children in the Bay Area being black.

Following further comments from the presentors, it was ******m/s/c that the HRC write a formal letter of endorsement of the slide presentation to the Deaprtment of SOcial Services, urging that it make every effort to take additional steps to facilitate the adoption process for Black children.

EMPLOYMENT
Commissioners Corrine Lee, Esta Soler, Co-Chairpersons

- Employment of Minorities and Women in City-Funded Construction Contracts for Year Ending December 31, 1983-Stanley K. Lim, Contract Compliance Officer.

This 12-page narrative document report, supplemented by 21 pages of statistical tables (Comparison of Workers by Trades, by Sex, and Race, Summary of all Crafts for All Projects, List of Contracts, departmental breakdowns, etc.) was provided in advance to all Commissioners and had been adopted earlier by the Employment Committee.

This is the eighteenth in this series of reports, and is part of the HRC's continuing effort to keep the public informed of its compliance activities in all on-going construction contracts let by the City's awarding departments. Data for this report were obtained from about 200 contractors and subcontractors who regularly submit their workforce reports to the HRC. These reports are verified by the HRC compliance staff on a selective basis, and the, for this report, were computer-analyzed by the City's central data processing unit.

The cumulative statistics contained in the tables pepresent 105 active (continued and new) contracts awarded for construction by the following d4partments:

Department of Public Works, Cleanwater Program, Airpotts Commission, and the Mayor's Office of Community Development.

H Highlights from Mr. Lim's Summary of his report included:

- Statistics taken from 105 active contracts in 1983 showed the total work hours (356,234) continued on a downward trend---falling substantially to only 45.5% of the 1982 level of 779,589 total hours, when there were 110 active contracts. Minority work hours, however, rebounded to 42.9%, from 41.1% the year before.

- White, Black and American Indian/Alaskan Native men's participation declined from 57.7% in 1982 to 55.7% in 1983 for Whites, from 14.5% to 11.4%, for Blacks, and from 3.6% to 2.8% for American Indian/Alaskan Natives. Other groups, which registed gains from moderate to substantial, were: Hispanic men, up from 17.8% to 19.2%; and Asian/Pacific Islander men (the most improved group) from 4.6% to 6.1%. Filipino men showed a fourfold increase, from 0.1% to 0.4%---but their total work hours were relatively small.

- Overall, women construction workers gained, as well---an average of 6.3% over 1982.

- Analyzed on a trade-by-trade basis, 13 out of 21 trades with more than 1,000 work hours per year each reported had met or exceeded the required goals for minority gorups, compared to 12 out of 25 trades so doing in 1982.

- Problem areas for the HRC's compliance efforts were numerous: defunding of two HRC-designated outreach programs, the Recruitment and Training Program, and Women in Apprenticeship, the lack of cooperation and coordination between contractors and unions in dealing with the referral of minority and women workers; the policy of the State Division of Apprenticeship Standards in granting exemptions to certain contractors from meeting the 3-to-1, journeyworkers-toapprentice ratio, and the Federal government's lack of interest in monitoring any but the largest contracts.

Mr. Lim noted that beyond their day-to-day compliance work, HRC staff is also responsible for complaint-processing, and for providing technical assistance to community groups. In 1983, one offical complaint was filed and 45-noncompliance warning letters were issued. Toward the latter part of 1983, with the support of the Employment Committee, a special program was developed to encourage the employment of residents for the Southeast Community Facility project.

Due to the large number of trades, as noted above, found not in compliance with minority and women employment goals, the Employment Committee has recommended that staff increase its activity in filing offical complaints to reinforce compliance.

Further recommendations are:

- that a more streamlined method for processing complaints be developed.

- that the HRC assist those apprenticeship outreach programs that are no longer active to reestablish themselves.

- that closer coordination with the trade unions as well as with State and federal agencies be established.

- that the HRC's Affirmative Action Program for Construction Contracts be revised to reflect current changes in employment/ and minority and women business enterprises' requirements.

Mr. Lim responded to questions from Commissioners Moulton and Yamakawa.

He advised that the Employment Committee had requested the Director to write the State Department of Apprenticeship Standards expressing concern about the adverse effect of its granting of exemptions to the journey-worker-to-apprentice ratio, and, further, asked to form a subcommittee to review and advise on revision of the HRC's Affirmative Action Program for Construction Contracts.

- Commissioner Yamakawa suggested that in the future when staff reports come to the HRC through a Standing Committee, with recommendations, that a cover sheet be provided outlining what actions that Committee has itself already taken on them.

It was then

*****m/s/c that the HRC accept the report on Employment of Minorities and Women in City Funded Construction Contracts for Year Ending December 31, 1983, and to adopt the recommendations.

OLD MATTERS

- Nominations for the MBE/WBE/LBE Advisory Committee-Director Mickins

The ad hoc committee of the Administrative Committee named by Chairperson Wade November 29 to serve as advisors to the Director in accepting and making selections of candidates for the MBE/WBE/LBE Advisory Committee met (Commissioners Moulton, Soler, and Yamakawa) December 7 with the Director. This community advisory committee of not less than 11 members, appointed by the HRC, is to meet, according to Chapter 12D, at least quarterly and on call of the Director.

Mr. Mickins read from the account of the December 7 meeting:

1. That representatives of Asian, Black, Latino , feminist, City officials, City chambers of commerce, and labor will be sought.

2. That letters will be sent to each of the relevant individuals or groups requesting that nominations be submitted by Thursday, January 10, 1985.

3. That the ad hoc committee will meet with the Chairperson between January 10 and 24 to recommend nominees.

4. The Chairperson will announce the selections at the regular HRC meeting of January 24, 1985.

Commissioner Yamakawa announced that the ad hoc committee also had decided that it would set no arbitrary numbers on the representation from any one specific community or group, as had once been suggested. He said the intent of the ad hoc committee that the majority of the advisory committee be from those areas most interested in furthering the cause of minority/women business enterprise.

It was

*****m/s/c that the ad hoc committee procedures be adopted.

NO NEW MATTERS

CALENDAR MATTERS

- The next regularly scheduled meeting of the HRC of Thursday, December 27, 1984, has been cancelled.

The first meeting for 1985 will be Thursday, January 10, at 9:30 AM at Commissioner Joe Jung's restaurant located at 891 Market Street, Fifth and Market. Followed by luncheon with Commissioners and staff as guests. The six-month schedule in advance for the HRC's regular meetings has been circulated as follows to the HRC: (All are at 10:15 AM in the Third Floor Commission Room of the Main Library):

January 10 and 24; February 14 and 28; March 14 and 28;
April 11 and 25; May 9 and 23; and June 13 and 27.

STANDING COMMITTEES

Administrative	Thursday, January 10, 1985 following the regular HRC meeting. Place to be announced.
Employment	Thursday, January 3, 1985 9:30 AM 1860 Mission Street, Second Floor
Lesbian/Gay Advisory	Tuesday, December 18, 1984 5:30-7:30 PM Room 1200, State Building, 350 McAllister
Housing and Urban Development	To be announced.
Social Issues and Police Liaison	Wednesday, December 19, 1984 3 PM Room 509, HRC Offices 1095 Market
Youth and Education	Thursday, December 20, 1984 3:45 PM State Building 350 McAllister Room 1159

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

review and advise on revision of the HRC's Affirmative Action Program for Construction Contracts